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FACULTY OF LAW
UNIVERSITY OF TORONTO



REVISED REGULATIONS OF ONTARIO, 1990

RÈGLEMENTS REFONDUS DE L'ONTARIO DE 1990

VOLUME 2

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TORONTO

1992

The Revised Regulations of Ontario, 1990 were prepared by the Commissioners appointed under the *Regulations Revision Act, 1989*.

Les Règlements refondus de l'Ontario de 1990 ont été préparés par les commissaires nommés en vertu de la *Loi de 1989 sur la refonte des règlements*.

USER'S GUIDE TO THE REVISED REGULATIONS OF ONTARIO, 1990

Contents of the Revised Regulations of Ontario, 1990

The Revised Regulations of Ontario, 1990 contain the Regulations of Ontario filed before January 1, 1991, as arranged, consolidated and revised in accordance with the *Regulations Revision Act, 1989*. Regulations that are not of general application but that are still in force are listed in the Schedule contained in the final volume of these Revised Regulations. Obsolete regulations have been omitted from both the Revision and the Schedule. They have no further effect.

Regulations which have been amended or remade

Amendments made to the Regulations of Ontario on or after January 1, 1991, are not contained in the Revised Regulations of Ontario, 1990. Regulations which were in force on December 31, 1990 but which were revoked or remade between that date and September 1, 1991 are not contained in the Revised Regulations of Ontario, 1990. Amendments and remade regulations will be published as a supplementary revision in *The Ontario Gazette*.

To determine if a regulation contained in the Revised Regulations of Ontario, 1990 has been amended, refer to the Table of Regulations published in the most recent annual statute volume and in *The Ontario Gazette*. The table lists all of the regulations contained in the Revised Regulations of Ontario, 1990, and all regulations filed on or after January 1, 1991, and shows whether or not a regulation has been amended, remade or revoked.

To determine if a regulation has been amended, remade, or revoked since the publication of the latest Table of Regulations, reference should be made to the weekly publications of *The Ontario Gazette*.

Arrangement of the Revised Regulations of Ontario, 1990

The Table of Regulations in each volume lists the statutes alphabetically in English and shows for each statute the regulations made under it.

A reader who knows the English title of an Act may find the regulations made under that Act by consulting the Table of Regulations. A reader who knows the French language subject-matter of an Act under which

GUIDE D'UTILISATION DES RÈGLEMENTS REFONDUS DE L'ONTARIO DE 1990

Contenu des Règlements refondus de l'Ontario de 1990

Les Règlements refondus de l'Ontario de 1990 rassemblent les règlements de l'Ontario déposés avant le 1er janvier 1991, tels qu'ils ont été arrangés, codifiés et refondus conformément à la *Loi de 1989 sur la refonte des règlements*. Les règlements qui ne sont pas de portée générale, mais qui demeurent en vigueur, sont énumérés dans l'annexe qui se trouve dans le dernier volume du présent recueil. Les règlements caducs ont été omis du recueil et de l'annexe; ils n'ont plus d'effet juridique.

Règlements modifiés ou pris de nouveau

Les modifications apportées aux règlements de l'Ontario depuis le 1er janvier 1991 ne figurent pas dans les Règlements refondus de l'Ontario de 1990. Les règlements qui étaient en vigueur le 31 décembre 1990 mais qui ont été abrogés ou pris de nouveau entre cette date et le 1er septembre 1991 ne figurent pas non plus dans le recueil. Les modifications et les règlements pris de nouveau seront publiés à part à titre de refonte supplémentaire dans la *Gazette de l'Ontario*.

Pour déterminer si un règlement figurant dans les Règlements refondus de l'Ontario de 1990 a été modifié, il suffit de se reporter à la Table des règlements contenue dans le plus récent volume annuel des lois ainsi que dans la *Gazette de l'Ontario*. Cette table énumère tous les règlements contenus dans les Règlements refondus de l'Ontario de 1990 ainsi que tous les règlements déposés depuis le 1er janvier 1991; elle indique également si un règlement a été modifié, pris de nouveau ou abrogé.

Pour déterminer si un règlement a été modifié, pris de nouveau ou abrogé depuis la publication de la plus récente Table des règlements, il faut se reporter aux publications hebdomadaires dans la *Gazette de l'Ontario*.

Agencement des Règlements refondus de l'Ontario de 1990

La *Table of Regulations* qui se trouve dans chaque volume énumère les Lois refondues de l'Ontario de 1990 par ordre alphabétique anglais et indique, à la suite de chaque loi, les règlements pris en application de celle-ci.

L'usager qui connaît le titre anglais d'une loi peut trouver les règlements pris en application de celle-ci en consultant cette table. L'usager qui connaît le titre français d'une loi en application de laquelle un règlement peut

a regulation may have been made may find the English title of the Act by consulting the *Table alphabétique des matières* in volume 9 and then cross-referencing to the Table of Statutes of the Revised Statutes of Ontario, 1990 which is also set out in volume 9.

Title Changes

The Revised Statutes of Ontario, 1990 changed the titles of several statutes. These include the *Agricultural Development Finance Act* (now *Province of Ontario Savings Office Act*), the *Apprenticeship and Tradesmen's Qualification Act* (now *Trades Qualification Act*) and the *Dog Licensing and Live Stock and Poultry Protection Act* (now *Livestock, Poultry and Honey Bee Protection Act*).

Minor changes have been made to the titles of other Acts. Regulations made under the former Act appear under the new title where the Commissioners are of the opinion the regulations still have effect.

Rules of Civil Procedure

The Rules of Civil Procedure made under the *Courts of Justice Act* are published in Volume 9.

Volume 9 of the Revised Regulations of Ontario, 1990

In addition to the Rules of Civil Procedure, Volume 9 of the Revised Regulations of Ontario, 1990 contains the following items that may be of interest:

1. A copy of the report of the Regulation Revision Commissioners on the Revised Regulations of Ontario, 1990.
2. The *Regulations Revision Act, 1989*, S.O. 1989, c. 82 under which the Revised Regulations of Ontario, 1990 were prepared is included for purposes of convenient reference.
3. A Schedule to the Revised Regulations of Ontario, 1990, which shows those regulations which remain in force until revocation or expiry but which are not set forth in full because they are not of general application.
4. A copy of the Table of Statutes from the Revised Statutes of Ontario, 1990 and a copy of the *Table alphabétique des matières*.

English and French Versions of Regulations

Regulations that were made in English and French appear in bilingual form in the Revised Regulations of Ontario, 1990. Regulations which were made in English only and

avoir été pris, peut trouver le titre anglais de la loi en consultant la Table alphabétique des matières qui se trouve dans le volume 9, puis en se reportant à la *Table of Statutes* contenue dans les Lois refondues de l'Ontario de 1990 qui est également reproduite dans le volume 9.

Changement de titres

Les Lois refondues de l'Ontario de 1990 ont modifié le titre anglais de plusieurs lois; par exemple : la loi intitulée *Agricultural Development Finance Act* (maintenant intitulée *Province of Ontario Savings Office Act*), *Apprenticeship and Tradesmen's Qualification Act* (maintenant *Trades Qualification Act*) et *Dog Licensing and Live Stock and Poultry Protection Act* (maintenant *Livestock, Poultry and Honey Bee Protection Act*).

Des modifications mineures ont aussi été apportées au titre d'autres lois. Les règlements pris en application des anciennes lois figurent sous le nouveau titre lorsque les commissaires sont d'avis que les règlements ont encore un effet juridique.

Règles de procédure civile

Les Règles de procédure civile prises en application de la *Loi sur les tribunaux judiciaires* sont publiées dans le volume 9.

Le volume 9 des Règlements refondus de l'Ontario de 1990

Outre les Règles de procédure civile, le volume 9 des Règlements refondus de l'Ontario de 1990 présente certains documents d'intérêt connexe :

1. Le rapport des commissaires chargés de préparer les Règlements refondus de l'Ontario de 1990.
2. Le texte de la *Loi de 1989 sur la refonte des règlements*, L.O. 1989, chap. 82, en vertu de laquelle les Règlements refondus de l'Ontario de 1990 ont été préparés, qui est reproduit à titre indicatif.
3. Une annexe aux Règlements refondus de l'Ontario de 1990 indiquant les règlements qui demeurent en vigueur jusqu'à leur abrogation ou leur expiration et qui ne sont pas reproduits en entier parce qu'ils ne sont pas de portée générale.
4. Le texte de la *Table of Statutes* figurant dans les Lois refondues de l'Ontario de 1990 ainsi que le texte de la Table alphabétique des matières.

Versions anglaise et française des règlements

Les règlements qui ont été pris en français et en anglais paraissent sous forme bilingue dans les Règlements refondus de l'Ontario de 1990. Les règlements qui n'ont été pris qu'en

for which there was no official French version on December 31, 1990, appear in English only. French versions of regulations are being prepared on a regular basis. To see if a French version has been made, the reader should follow the procedures described above under the heading "Regulations which have been amended or remade".

Citation of Regulations

A regulation in the Revised Regulations of Ontario, 1990, may be cited as "Revised Regulations of Ontario, 1990, Regulation (*number*)", as "Règlements refondus de l'Ontario de 1990, Règlement (*number*)", as "R.R.O. 1990, Reg. (*number*)" or as "R.R.O. 1990, Règl. (*number*)".

Organization of a Regulation

Every regulation is composed of numbered sections, cited as section 1, 2, 3, etc. Many sections are further divided into two or more subsections, cited as subsection (1), (2), (3), etc. Some sections and subsections also contain clauses (cited as clause (a), (b), (c), etc.), subclauses (cited as subclause (i), (ii), (iii), etc.), paragraphs (cited as paragraph 1, 2, 3, etc.) and subparagraphs (cited as subparagraph i, ii, iii, etc.). Further levels of division are possible, although they are rare.

Some regulations are divided into numbered Parts, cited as Part I, II, III, etc.

Some regulations contain a definition section that lists, in alphabetical order, definitions of terms used in the regulation. The definition section is usually at the beginning of the regulation, although definitions sometimes appear elsewhere. In a regulation that is divided into Parts, the first section of a Part often contains definitions of terms used in that Part.

Forms and Schedules to regulations usually appear at the end unless they are quite short.

Some regulations may contain a Table of Contents at the beginning of the regulation and in addition may have an index to Forms or Schedules if there are a large number of these items.

Headings

Headings in the body of a regulation do not form part of the regulation and should not be relied on as a means of interpreting the regu-

anglais et pour lesquels il n'existait aucune version française officielle le 31 décembre 1990, ne paraissent qu'en anglais. Une version française des règlements est en voie de préparation. Pour déterminer si une version française a été prise, l'usager peut se reporter à la marche à suivre décrite ci-dessus sous la rubrique «Règlements modifiés ou pris de nouveau».

Citation des règlements

La citation d'un règlement des Règlements refondus de l'Ontario de 1990 peut se faire selon l'une des formules suivantes : «Règlements refondus de l'Ontario de 1990, Règlement (*numéro*)», «Revised Regulations of Ontario, 1990, Regulation (*numéro*)», «R.R.O. 1990, Règl. (*numéro*)», «R.R.O. 1990, Reg. (*numéro*)».

Division d'un règlement

Chaque règlement se compose d'articles numérotés que l'on cite ainsi : article 1, 2, 3, etc. Ces articles se divisent souvent en paragraphes cités ainsi : paragraphe (1), (2), (3), etc. Certains articles et certains paragraphes contiennent également des alinéas (cités ainsi : alinéa a), b), c), etc.), des sous-alinéas (cités ainsi : sous-alinéa (i), (ii), (iii), etc.), des dispositions (citées ainsi : disposition 1, 2, 3, etc.) et des sous-dispositions (citées ainsi : sous-disposition i, ii, iii, etc.). Des divisions plus poussées sont rares dans les textes législatifs.

Certains règlements sont également divisés en parties numérotées, citées ainsi : partie I, II, III, etc.

Certains règlements comportent une disposition qui énonce, par ordre alphabétique, la définition de certains termes utilisés dans les textes. Cette disposition se présente habituellement sous la forme d'un article placé au début du règlement, bien que certaines définitions puissent être placées ailleurs dans le texte. Dans un règlement qui est divisé en parties, le premier article d'une partie contient souvent la définition de termes utilisés dans celle-ci.

Les formules et les annexes qui font partie d'un règlement se trouvent généralement à la fin de celui-ci, à moins qu'elles ne soient très courtes.

Un sommaire figure parfois au début du règlement, ainsi qu'un index des formules ou des annexes s'il y en a un grand nombre.

Intertitres

Les intertitres d'un règlement ne font pas partie de celui-ci et ne doivent pas servir à l'interpréter. Ils ne servent qu'à faciliter l'utilisation du texte.

lation. They are included only for convenience of reference.

Historical references

Every section of every regulation in the Revised Regulations of Ontario, 1990, contains information to assist in tracing the history of the section. This historical information appears in the form of a citation, found at the end of every section and at the end of some subsections. A citation indicates the origin of the provisions between that citation and the previous citation.

For example, the historical reference "R.R.O. 1980, Reg. 1, s. 1" appears at the end of section 1 of Regulation 1, General, made under the *Abandoned Orchards Act*. This means that the provision has been carried forward without amendment from section 1 of Regulation 1 of the Revised Regulations of Ontario, 1980.

The historical reference "R.R.O. 1980, Reg. 1, s. 2, Sched. 1" appears at the end of section 2 of Regulation 1. This means that section 1 and Schedule 1 of Regulation 1 of the Revised Regulations of Ontario, 1980 have been combined.

The historical reference "O. Reg. 172/90, s. 1(1); O. Reg. 294/90, s. 1" appears at the end of subsection 1(1) of Regulation 5, Fees and Expenses — Justices of the Peace, made under the *Administration of Justice Act*. This means that subsection 1(1) of Regulation 5 as it was made by subsection 1(1) of Ontario Regulation 172/90 appears as it was amended by subsection 1(1) of Ontario Regulation 294/90.

Some historical references contain the word "*revised*". This means that the language of the former provision was significantly changed by the Commissioners who prepared the Revised Regulations of Ontario, 1990.

The historical references do not form part of the regulation and are included only for convenience of reference.

Interpretation Act

Readers of the Revised Regulations of Ontario, 1990, should be aware of the *Interpretation Act*, R.S.O. 1990, c. I.11. The Act contains a number of provisions that apply to the interpretation of regulations. For example, the Act contains definitions that apply to particular words and phrases used in all regulations, unless the context otherwise requires. It also contains provisions that may apply when a regulation is revoked and replaced by another regulation.

Notes historiques

Les articles de chaque règlement des Règlements refondus de l'Ontario de 1990 contiennent des renseignements qui permettent d'en retracer l'historique. Ces renseignements se trouvent, sous forme de citation, à la fin de chaque article et à la fin de certains paragraphes. La note historique indique l'origine des dispositions placées entre elle et la note précédente.

Par exemple, la note historique «R.R.O. 1980, Reg. 1, s. 1» paraît à la fin de l'article 1 du Règlement 1, «General», pris en application de la *Loi sur les vergers abandonnés*. Ceci signifie que cette disposition a été tirée sans modification de l'article 1 du Règlement 1 des Règlements refondus de l'Ontario de 1980.

La note historique «R.R.O. 1980, Reg. 1, s. 2, Sched. 1» paraît à la fin de l'article 2 du Règlement 1. Ceci signifie que l'article 1 et l'annexe 1 du Règlement 1 des Règlements refondus de l'Ontario de 1980 ont été combinés.

La note historique «Règl. de l'Ont. 172/90, par. 1 (1); Règl. de l'Ont. 294/90, art. 1» paraît à la fin du paragraphe 1 (1) du Règlement 5, «Fees and Expenses — Justices of the Peace», pris en application de la *Loi sur l'administration de la justice*. Ceci signifie que le paragraphe 1 (1) du Règlement 5 tel qu'il a été pris par le paragraphe 1 (1) du Règlement de l'Ontario 172/90 paraît tel qu'il a été modifié par le paragraphe 1 (1) du Règlement de l'Ontario 294/90.

Certaines notes historiques comportent le mot «révisé». Ceci signifie que la formulation de l'ancienne disposition a été remaniée sensiblement par les commissaires qui ont préparé les Règlements refondus de l'Ontario de 1990.

Les notes historiques ne font pas partie du texte des règlements et ne sont incluses que pour faciliter la consultation de ceux-ci.

Loi d'interprétation

Les usagers des Règlements refondus de l'Ontario de 1990 sont priés de tenir compte de la *Loi d'interprétation*, L.R.O. 1990, chap. I.11. Cette loi contient certaines dispositions qui s'appliquent à l'interprétation des règlements. Elle comporte, par exemple, des définitions qui s'appliquent aux termes et expressions utilisés dans tous les règlements, sauf lorsque le contexte exige un sens différent. Elle contient également des dispositions qui peuvent s'appliquer lorsqu'un règlement est abrogé et remplacé par un autre.

Other Laws

Readers are reminded that, in addition to Ontario regulations, particular legal issues may be affected by other kinds of laws, including the Constitution of Canada, statutes of the Parliament of Canada and the Legislature of Ontario, municipal by-laws and the common law.

Ministerial Responsibility for Regulations

Regulations are laws of Ontario. A validly made regulation has as much force in law as a statute. Regulations are all made under statutes that authorize their making. With the exception of a few statutes that are administered directly by the Legislative Assembly, every Act of the Legislature is administered through a ministry of the Ontario Government. The Ministry of Government Services publishes a brochure detailing which statutes are administered by each ministry. The brochure is entitled "Ministerial Responsibility for Acts".

Publications Ontario

Copies of the Revised Regulations of Ontario, 1990, individual regulations and other Government of Ontario publications may be obtained from Publications Ontario. Personal shopping is available at 880 Bay Street, Toronto. Customers may write to Publications Ontario, 5th Floor, 880 Bay Street, Toronto M7A 1N8. Orders may be placed by telephone at (416) 326-5300 or, toll-free in Ontario, 1-800-668-9938. Telephone Service for the hearing impaired is available at (416) 325-3408 or, toll-free in Ontario, 1-800-268-7095. Mastercard and Visa are accepted. Cheques and money orders should be made payable to the Treasurer of Ontario. Prepayment is required.

Autres lois

Certaines questions d'ordre juridique peuvent nécessiter, outre la consultation des Règlements de l'Ontario, celle d'autres textes, y compris la Constitution du Canada, les lois du Parlement du Canada et de la Législature de l'Ontario, les règlements municipaux, ainsi que le recours à la common law.

Responsabilité ministérielle pour les règlements

Les règlements sont des textes législatifs de l'Ontario. Un règlement valide a tout autant d'effet juridique qu'un texte de loi. Les règlements sont tous pris en application d'une loi qui autorise leur prise. À l'exception de quelques lois dont l'application relève directement de l'Assemblée législative, l'application des lois de la Législature se fait par l'entremise d'un ministère du gouvernement de l'Ontario. Le ministère des Services gouvernementaux publie une brochure intitulée «La responsabilité ministérielle pour les lois», qui fournit tous les renseignements utiles à cet égard.

Publications Ontario

On peut se procurer des exemplaires des Règlements refondus de l'Ontario de 1990, de règlements particuliers ainsi que d'autres publications du gouvernement de l'Ontario à Publications Ontario, 880, rue Bay, Toronto. On peut également écrire à Publications Ontario, 880, rue Bay, 5^{e} étage, Toronto (Ontario) M7A 1N8. Pour les commandes téléphoniques, composer le (416) 326-5300 ou, sans frais en Ontario, le 1-800-668-9938. Les malentendants peuvent composer le (416) 325-3408 ou, sans frais en Ontario, le 1-800-268-7095. Les cartes de crédit Mastercard et Visa sont acceptées. Faire le chèque ou le mandat à l'ordre du trésorier de l'Ontario. Le paiement est exigé d'avance.

TABLE OF REGULATIONS

REVISED REGULATIONS OF ONTARIO, 1990

The listings in this Table are, with few exceptions, in English only. As of the date of the revision (December 31, 1990), very few regulations had an official French version. The French and English titles are shown for those regulations adopted in both languages.

VOLUME 1 — Reg.

Abandoned Orchards Act
General ... 1

Administration of Justice Act
Court Reporters and Court Monitors ... 2
Fee Payable to Small Claims Court Referees ... 3
Fees and Expenses—
Jurors and Crown Witnesses ... 4
Justices of the Peace ... 5
Sheriff's Officers, Process Servers, Escorts and Municipal Police Forces ... 6
Fees—
Construction Liens ... 7
Repair and Storage Liens Act ... 8
Unified Family Court ... 9
Investigation Fee—Official Guardian ... 10
Kilometre Allowances ... 11
Ontario Court (General Division)—Fees ... 12
Sheriffs—Fees ... 13
Small Claims Court—Fees and Allowances ... 14

Aggregate Resources Act
General ... 15

Agricultural and Horticultural Organizations Act
General ... 16
Names ... 17

Agricultural Tile Drainage Installation Act
General ... 18

Ambulance Act
General ... 19

Amusement Devices Act
General ... 20

Anatomy Act
General ... 21

Animals For Research Act
General ... 22
Pounds ... 23
Research Facilities and Supply Facilities ... 24
Transportation ... 25

Apprenticeship and Tradesmen's Qualification Act
— See Trades Qualification Act

Arbitrations Act
Fees Chargeable by Arbitrators ... 26

Architects Act
General ... 27

Artificial Insemination of Livestock Act
General ... 28

Assessment Act
Application for Direction of School Support ... 29
Assessment Areas and Regions ... 30

TABLE DES RÈGLEMENTS

RÈGLEMENTS REFONDUS DE L'ONTARIO DE 1990

Les entrées de la présente Table sont, à peu d'exceptions près, en anglais seulement. En effet, seuls quelques règlements avaient, le 31 décembre 1990, une version française officielle. Les règlements pris sous forme bilingue sont indiqués sous leurs titres francais et anglais.

Reg.

Assessment Notices ... 31
Assessment Notices of Supplementary or Omitted Assessment ... 32
Equalization of Assessments (Various Municipalities) Under Subsection 63 (3) of the Act ... 33
Interior Information Questionnaire ... 34
Pipe Line Rates ... 35
Pipe Line Rates ... 36
Pipe Line Rates ... 37
Pipe Line Rates ... 38
Pipe Line Rates ... 39
Pipe Line Rates in Muskoka and Parry Sound ... 40
Pipe Line Rates in Part of the District of Algoma and Part of The Regional Municipality of Ottawa-Carleton ... 41
Pipe Line Rates in Parts of the Counties of Hastings and Simcoe and Parts of the United Counties of Prescott and Russell and Stormont, Dundas and Glengarry ... 42
Pipe Line Rates in Parts of the Counties of Peterborough, Simcoe and Victoria and in Parts of the Districts of Sudbury and Algoma ... 43
Pipe Line Rates in the County of Huron and Parts of the Counties of Haliburton, Hastings, Peterborough, Simcoe and Victoria and Part of the District of Timiskaming ... 44
Pipe Line Rates in The Regional Municipality of Sudbury ... 45
Pipe Line Rates Under Subsection 25 (16) of the Act ... 46
Pipe Line Rates Under Subsection 25 (17) of the Act ... 47
Property Income Questionnaire ... 48
Revision and Certification of Assessment Commissioner's List ... 49

Assessment Review Board Act
Procedure ... 50

Athletics Control Act
Amount of Tax ... 51
General ... 52

Bailiffs Act
General ... 53

Beef Cattle Marketing Act
Licence Fees ... 54
Weighing of Carcasses ... 55
Weighing of Live Cattle ... 56

Bees Act
General ... 57

Blind Persons' Rights Act
Guide Dogs ... 58

Boilers and Pressure Vessels Act
General ... 59

Boundaries Act
General ... 60

Reg.

Building Code Act
General 61

Business Corporations Act
General 62

Cemeteries Act
Closings 63
General 64
Trust Funds 65

Centennial Centre of Science and Technology Act
Fees 66

Certification of Titles Act
General 67

Change of Name Act
Loi sur le changement de nom
General 68
Dispositions générales 68

Charitable Institutions Act
General 69

Child and Family Services Act
General 70
Register 71

Children's Law Reform Act
Forms 72

Chiropody Act
General 73

Collection Agencies Act
General 74

Commercial Concentration Tax Act
General 75

Commissioners for Taking Affidavits Act
Fees 76

Commodity Boards and Marketing Agencies Act
Levies—
Cream 77
Milk 78
Levies or Charges—
Chicken 79
Chicken (Over Quota) 80
Cream 81
Eggs 82
Eggs (Over Quota) 83
Fowl 84
Hatching Eggs 85
Hatching Eggs and Chicks (Over Quota) 86
Milk 87
Tobacco 88
Turkeys 89

Commodity Futures Act
General 90

Community Psychiatric Hospitals Act
General 91
Grants 92

Community Recreation Centres Act
General 93

Compulsory Automobile Insurance Act
Certificate of Insurance 94
Exemptions 95

Reg.

Condominium Act
General 96
Surveys and The Description 97

Conservation Authorities Act
Conservation Areas—
Ausable-Bayfield 98
Cataraqui Region 99
Catfish Creek 100
Central Lake Ontario 101
Credit Valley 102
Crowe Valley 103
Essex Region 104
Ganaraska Region 105
Grand River 106
Grey Sauble 107
Halton Region 108
Hamilton Region 109
Kawartha Region 110
Kettle Creek 111
Lake Simcoe Region 112
Lakehead Region 113
Long Point Region 114
Lower Thames Valley 115
Lower Trent Region 116
Maitland Valley 117
Mattagami Region 118
Metropolitan Toronto and Region 119
Mississippi Valley 120
Moira River 121
Napanee Region 122
Niagara Peninsula 123
Nickel District 124
North Bay-Mattawa 125

VOLUME 2

Conservation Authorities Act (Continued)
Conservation Areas—(Continued)
North Grey Region 126
Nottawasaga Valley 127
Otonabee Region 128
Prince Edward Region 129
Rideau Valley 130
St. Clair Region 131
Sauble Valley 132
Saugeen Valley 133
Sault Ste. Marie Region 134
South Nation River 135
Upper Thames River 136
Fill—
Grand Valley 137
Moira River 138
Spencer Creek 139
Fill and Alteration to Waterways—
Raisin Region 140
Sault Ste. Marie Region Conservation Authority 141
Fill, Construction and Alteration to Waterways—
Ausable-Bayfield 142
Cataraqui Region 143
Catfish Creek 144
Central Lake Ontario 145
Credit Valley 146
Essex Region 147
Ganaraska Region Conservation Authority 148
Grand River 149
Halton Region Conservation Authority 150
Hamilton Region 151
Kettle Creek 152
Lake Simcoe Region 153
Long Point Region Conservation Authority 154
Lower Thames Valley 155

Reg.

Lower Trent Region ... 156
Mattagami Region ... 157
Metropolitan Toronto and Region ... 158
Mississippi Valley (The) ... 159
Napanee Region Conservation Authority ... 160
Nickel District ... 161
North Bay-Mattawa Conservation Authority ... 162
North Grey ... 163
Nottawasaga Valley ... 164
Otonabee Region ... 165
Rideau Valley ... 166
St. Clair Region ... 167
Sauble Valley ... 168
Saugeen Valley ... 169
Upper Thames River ... 170

Consolidated Hearings Act
Aggregate Resources Act ... 171
Conservation Authorities Act ... 172
Hearings ... 173
Lakes and Rivers Improvement Act ... 174

Construction Lien Act
General ... 175

Consumer Protection Act
General ... 176

Consumer Reporting Act
General ... 177

Co-operative Corporations Act
General ... 178

Co-operative Loans Act
General ... 179

Coroners Act
General ... 180

Corporations Act
General ... 181

Corporations Information Act
General ... 182

Corporations Tax Act
General ... 183

Costs of Distress Act
Costs ... 184

Courts of Justice Act
Loi sur les tribunaux judiciaires
Bilingual Proceedings ... 185
Designation of Regions ... 186
District of Algoma Civil Case Management Rules ... 187
Règles de gestion des causes civiles du district d'Algoma ... 187
Duties of Clerks and Bailiffs of the Small Claims Court . 188
Essex Civil Case Management Rules ... 189
Règles de gestion des causes civiles d'Essex ... 189
Money Paid Into Court ... 190
Number of Judges ... 191
Part-Time Provincial Judges Authorized to Practise Law ... 192
Provincial Judges Benefits ... 193
Rules of Civil Procedure (See Volume 9) ... 194
Règles de procédure civile (Voir Volume 9) ... 194
Rules of the Court of Appeal in Appeals Under the Provincial Offences Act ... 195
Rules of the Ontario Court (General Division) and the Ontario Court (Provincial Division) in Appeals Under Section 116 of the Provincial Offences Act ... 196

Reg.

Rules of the Ontario Court (General Division) in Estate Proceedings ... 197
Rules of the Ontario Court (Provincial Division) in Appeals Under Section 135 of the Provincial Offences Act ... 198
Rules of the Ontario Court (Provincial Division) in Family Law Proceedings ... 199
Rules of the Ontario Court (Provincial Division) in Provincial Offences Proceedings ... 200
Rules of the Small Claims Court ... 201
Rules of the Unified Family Court ... 202
Salaries and Benefits of Masters ... 203
Salaries and Benefits of Provincial Judges ... 204
Small Claims Court Jurisdiction ... 205
Territorial Divisions for the Small Claims Court ... 206

VOLUME 3

Credit Unions and Caisses Populaires Act
Loi sur les caisses populaires et les credit unions
Annual Premium ... 207
Credit Union Leagues ... 208
Fédérations de caisses ... 208
Designations Under Section 85 of the Act ... 209
General ... 210
Dispositions générales ... 210
Matching Assets ... 211
Éléments d'actif correspondants ... 211
Membership in Credit Union Leagues ... 212
Adhésion aux fédérations de caisses ... 212
Membership in Credit Unions ... 213
Adhésion aux caisses ... 213
Stabilization Funds ... 214

Crop Insurance Act (Ontario)
Arbitration Proceedings ... 215
Crop Insurance Plan—
Apples ... 216
Asparagus ... 217
Black Tobacco ... 218
Burley Tobacco ... 219
Carrots ... 220
Coloured Beans ... 221
Corn ... 222
Cucumbers ... 223
Flue-Cured Tobacco ... 224
Forage Seeding Establishment ... 225
Grapes ... 226
Green and Wax Beans ... 227
Greenhouse Vegetables ... 228
Hay and Pasture ... 229
Honey ... 230
Lima Beans ... 231
Oil Seed ... 232
Onions ... 233
Peaches ... 234
Peanuts ... 235
Pears ... 236
Peas ... 237
Peppers ... 238
Plums ... 239
Popping Corn ... 240
Potatoes ... 241
Pumpkins and Squash ... 242
Red Beets ... 243
Red Spring Wheat ... 244
Rutabagas ... 245
Seed Corn ... 246
Sour Cherries ... 247
Specialty Crops ... 248
Spring Grain ... 249
Sunflowers ... 250
Sweet Cherries ... 251

Reg.

Sweet Corn ... 252
Tomatoes ... 253
White Beans ... 254
Winter Wheat ... 255
Crop Insurance Plans—General ... 256
Designation of Insurable Crops ... 257

Crown Employees Collective Bargaining Act
General ... 258
Rules of Procedure ... 259

Crown Timber Act
General ... 260

Dangerous Goods Transportation Act
General ... 261

Day Nurseries Act
General ... 262

Dead Animal Disposal Act
General ... 263

Dental Technicians Act
General ... 264

Denture Therapists Act
General ... 265

Deposits Regulation Act
General ... 266

Development Charges Act
Development Charges ... 267
Education Development Charges ... 268

Development Corporations Act
Innovation Ontario Corporation ... 269
Ontario Film Development Corporation (The) ... 270
Ontario International Corporation ... 271

Developmental Services Act
General ... 272

District Welfare Administration Boards Act
Application for Grant Under Section 10 of the Act ... 273

Drainage Act
Forms ... 274
Rules of Practice and Procedure to be Followed in All Proceedings Before the Referee ... 275

Drugless Practitioners Act
Chiropractors ... 276
Classifications ... 277
General ... 278
Masseurs ... 279
Osteopaths ... 280
Physiotherapists ... 281

Edible Oil Products Act
General ... 282

Education Act
Calculation of Amount of Reserve or Reduction in Requirement Resulting from Strike or Lock-out ... 283
Conditions for Extended Funding ... 284
Continuing Education ... 285
County Combined Separate School Zones ... 286
Designation of School Divisions ... 287
Designation of Support Staff ... 288
Designation of Teachers ... 289
District Combined Separate School Zones ... 290
District School Areas ... 291

Reg.

Fees for Ministry Courses ... 292
Fees For Transcripts and Statements of Standing and for Duplicates of Diplomas, Certificates and Letters of Standing ... 293
James Bay Lowlands Secondary School Board ... 294
Northern District School Area Board ... 295
Ontario Schools for the Blind and the Deaf ... 296
Ontario Teacher's Qualifications ... 297
Operation of Schools—General ... 298
Payment of Legislative Grants ... 299
Practice and Procedure—Boards of Reference ... 300
Pupil Records ... 301
Purchase of Milk ... 302
Regional Tribunals ... 303
School Year and School Holidays ... 304
Special Education Identification Placement and Review Committees and Appeals ... 305
Special Education Programs and Services ... 306
Special Grant ... 307
Supervised Alternative Learning for Excused Pupils ... 308
Supervisory Officers ... 309
Teachers' Contracts ... 310
Territory Without Municipal Organization Attached to a District Municipality ... 311
Training Assistance ... 312
Trustee Distribution ... 313

Elderly Persons Centres Act
General ... 314

Election Act
Fees and Expenses ... 315

Elevating Devices Act
General ... 316

Employee Share Ownership Plan Act
Forms ... 317
General ... 318

Employer Health Tax Act
General ... 319

Employment Agencies Act
General ... 320

Employment Standards Act
Benefit Plans ... 321
Domestics, Nannies and Sitters ... 322
Forms ... 323
Fruit, Vegetable and Tobacco Harvesters ... 324
General ... 325
Residential Care Workers ... 326
Termination of Employment ... 327

Endangered Species Act
Endangered Species ... 328

Energy Act
Fuel Oil Code ... 329
Gas Pipeline Systems ... 330
Gas Utilization Code ... 331
Oil Pipeline Systems ... 332
Propane Storage, Handling and Utilization Code ... 333

Environmental Assessment Act
General ... 334
Rules of Practice—Environmental Assessment Board ... 335

Environmental Protection Act
Air Contaminants From Ferrous Foundries ... 336
Ambient Air Quality Criteria ... 337
Boilers ... 338
Classes of Contaminants—Exemptions ... 339

Reg.

Containers ... 340
Deep Well Disposal ... 341
Designation of Waste ... 342
Discharge of Sewage From Pleasure Boats ... 343
Disposable Containers for Milk ... 344
Disposable Paper Containers for Milk ... 345
General—Air Pollution ... 346
General—Waste Management ... 347
Hauled Liquid Industrial Waste Disposal Sites ... 348
Hot Mix Asphalt Facilities ... 349
Lambton Industry Meteorological Alert ... 350
Marinas ... 351
Mobile PCB Destruction Facilities ... 352
Motor Vehicles ... 353
Municipal Sewage and Water and Roads Class Environmental Assessment Project ... 354
Ontario Hydro ... 355
Ozone Depleting Substances—General ... 356
Refillable Containers for Carbonated Soft Drink ... 357
Sewage Systems ... 358
Sewage Systems—Exemptions ... 359
Spills ... 360
Sulphur Content of Fuels ... 361
Waste Management—PCB's ... 362

Expropriations Act
Forms ... 363
Rules to be Applied for the Purposes of Subsection 32 (1) of the Act ... 364

Extra-Provincial Corporations Act
General ... 365

Family Benefits Act
General ... 366

Family Law Act
Loi sur le droit de la famille
Designation of Matrimonial Home—Forms ... 367
Election of Surviving Spouse ... 368
Choix du conjoint survivant ... 368

Farm Implements Act
General ... 369

Farm Income Stabilization Act
Fresh Market Potato Stabilization, 1989-1992—Plan ... 370
Grain Stabilization, 1988-1990—Plan ... 371

Farm Products Containers Act
Containers—Fruit and Vegetables ... 372

Farm Products Grades and Sales Act
Burley Tobacco ... 373
Flue-Cured Tobacco ... 374
Fruit—Controlled-Atmosphere Storage ... 375
Grades—
Beef Carcasses ... 376
Christmas Trees ... 377
Fruit and Vegetables ... 378
Hog Carcasses ... 379
Lamb and Mutton Carcasses ... 380
Poultry ... 381
Veal Carcasses ... 382
Grain ... 383
Honey ... 384
Licences ... 385
Maple Products ... 386

VOLUME 4

Farm Products Marketing Act
Apples—
Marketing ... 387

Reg.

Plan ... 388
Arbitration of Disputes ... 389
Asparagus—
Marketing ... 390
Plan ... 391
Beans—
Marketing ... 392
Plan ... 393
Berries for Processing—
Marketing ... 394
Plan ... 395
Broiler Hatching Eggs and Chicks—
Marketing ... 396
Plan ... 397
Burley Tobacco—
Marketing ... 398
Plan ... 399
By-Laws for Local Boards ... 400
Chicken—Extension of Powers of the Canadian Chicken Marketing Agency ... 401
Chickens—
Marketing ... 402
Plan ... 403
Designation—
Ontario Canola Growers' Association ... 404
Ontario Coloured Bean Growers' Association ... 405
Eggs—
Extension of Powers of the Canadian Egg Marketing Agency ... 406
Marketing ... 407
Marketing Limitations ... 408
Plan ... 409
Fresh Grapes—
Marketing ... 410
Plan ... 411
Fresh Potatoes—
Marketing ... 412
Plan ... 413
Grapes for Processing—
Marketing ... 414
Plan ... 415
Greenhouse Vegetables—
Appointment of Trustee ... 416
Marketing ... 417
Plan ... 418
Hogs—
Marketing ... 419
Plan ... 420
Local Boards ... 421
Potatoes—
Marketing ... 422
Plan ... 423
Processing Tomato Seedling Plants—
Marketing ... 424
Plan ... 425
Rutabagas—Marketing ... 426
Seed-Corn—
Marketing ... 427
Plan ... 428
Sheep—
Marketing ... 429
Plan ... 430
Soybeans—
Marketing ... 431
Plan ... 432
Tender Fruit—
Marketing ... 433
Plan ... 434
Tobacco—
Marketing ... 435
Plan ... 436
Turkeys—
Marketing ... 437
Marketing Limitations ... 438

Reg.

Plan ... 439
Vegetables for Processing—
Marketing ... 440
Plan ... 441
Wheat—
Marketing ... 442
Plan ... 443

Farm Products Payments Act
Fund for Egg Producers ... 444
Fund for Livestock Producers ... 445
Fund for Milk and Cream Producers ... 446
Fund for Producers of Canola ... 447
Fund for Producers of Grain Corn ... 448
Fund for Producers of Potatoes for Processing ... 449
Fund for Producers of Soybeans ... 450
Fund for Producers of Vegetables for Processing ... 451

Fire Departments Act
Filing in Ontario Court (General Division) of Decision of Arbitrator or Arbitration Board ... 452
Standards for Pumpers ... 453

Fire Marshals Act
Fire Code ... 454
General ... 455

Fish Inspection Act
Quality Control ... 456

Forest Fires Prevention Act
Fire Regions ... 457

Forestry Act
Nurseries ... 458

Freedom of Information and Protection of Privacy Act
Loi sur l'accès à l'information et la protection de la vie privée
Disposal of Personal Information ... 459
General ... 460
Dispositions générales ... 460

French Language Services Act
Loi sur les services en français
Exemptions ... 461
Exemptions ... 461
General ... 462
Dispositions générales ... 462

Freshwater Fish Marketing Act (Ontario)
General ... 463

Fuel Tax Act
General ... 464
Miscellaneous ... 465
Refunds ... 466

Funeral Directors and Establishments Act
Board—Composition and Remuneration ... 467
Compensation Fund ... 468
Equipment and Premises ... 469
Licensing and Business Practices ... 470

Fur Farms Act
General ... 471

Game and Fish Act
Amphibians ... 472
Animals Declared to be Fur-Bearing Animals ... 473
Aylmer Hunting Area ... 474
Aylmer Lagoon Hunting Area ... 475
Bag Limit for Black Bear ... 476
Beaver Meadow Hunting Area ... 477

Reg.

Black Bear Management Areas ... 478
Bows and Arrows ... 479
Bullfrogs ... 480
Calton Swamp Hunting Area ... 481
Camden Lake Hunting Area ... 482
Copeland forest Hunting Area ... 483
Crown Game Preserves ... 484
Discharge of Firearms From or Across Highways and Roads ... 485
Discharge of Firearms on Sunday ... 486
Fingal Hunting Area ... 487
Firearms—Aulneau Peninsula ... 488
Fishing Huts ... 489
Fishing Licences ... 490
Fur Harvest, Fur Management and Conservation Course ... 491
Furs ... 492
Game Bird Hunting Preserves ... 493
Game Birds—Captivity, Propagation or Sale ... 494
Guides ... 495
Hullett Hunting Area ... 496
Hunter Safety Training Course ... 497
Hunting in Lake Superior Provincial Park ... 498
Hunting in Long Point National Wildlife Area ... 499
Hunting Licences ... 500
Hunting on Crown Lands in the Geographic Townships of Bruton and Clyde ... 501
Hunting on Designated Crown Land and in Provincial Parks ... 502
Lake St. Lawrence Hunting Area ... 503
Licence to Chase Raccoon at Night and Fox, Coyote or Wolf During the Day ... 504
Licence to Possess Nets ... 505
Luther Marsh Hunting Area ... 506
Nashville Tract Hunting Area ... 507
Navy Island Hunting Area ... 508
Open Seasons—
Black Bear ... 509
Fur-Bearing Animals ... 510
Game Birds ... 511
Moose and Deer ... 512
Rabbits and Squirrels ... 513
Snapping Turtles ... 514
Orangeville Reservoir Hunting Area ... 515
Petroglyphs Provincial Park Hunting Area ... 516
Polar Bears ... 517
Prohibition of Hunting and Possession of Firearms ... 518
Reporting and Registering Possession of Certain Game 519
Reptiles ... 520
Sale of Bass and Trout and Fishing Preserves ... 521
Snares ... 522
Stag Island Hunting Area ... 523
Tiny Marsh Hunting Area ... 524
Trade in Game Animal Hides and Cast Antlers ... 525
Trap-Line Areas ... 526
Traps ... 527
Traps—Order Under Subsection 30 (4) of the Act ... 528
Waters Set Apart—Frogs ... 529
Wildlife Management Units ... 530
Wolves and Black Bears in Captivity ... 531

Gasoline Handling Act
Gasoline Handling Code ... 532

Gasoline Tax Act
General ... 533
Returns and Refunds ... 534

General Welfare Assistance Act
Civil Legal Aid ... 535
Dental Services ... 536
General ... 537
Indian Bands ... 538

Reg.

Grain Corn Marketing Act
Licence Fees ... 539

Grain Elevator Storage Act
General ... 540

Guarantee Companies Securities Act
Approved Guarantee Companies ... 541

Healing Arts Radiation Protection Act
Hospitals Prescribed for the Installation and Operation of Computerized Axial Tomography Scanners ... 542
X-Ray Safety Code ... 543

Health Care Accessibility Act
Administrative Charge ... 544

Health Disciplines Act
Child Resistant Packages ... 545
Dental Hygienists ... 546
Dentistry ... 547
Medicine ... 548
Nursing ... 549
Optometry ... 550
Pharmacy ... 551

Health Insurance Act
General ... 552

Health Protection and Promotion Act
Areas Comprising Health Units ... 553
Camps in Unorganized Territory ... 554
Capital Assistance Grants for Boards of Health ... 555
Clinics for Sexually Transmitted Diseases ... 556
Communicable Diseases—General ... 557
Designation of Communicable Diseases ... 558
Designation of Municipal Members of Boards of Health ... 559
Designation of Reportable Diseases ... 560
Exemption—Subsection 38 (2) of the Act ... 561
Food Premises ... 562
Grants for Health Promotion Projects and Initiatives ... 563
Grants to Boards of Health ... 564
Public Pools ... 565
Qualifications of Boards of Health Staff ... 566
Rabies Immunization ... 567
Recreational Camps ... 568
Reports ... 569
School Health Services and Programs ... 570
Slaughterhouses and Meat Processing Plants ... 571
Warrant ... 572

VOLUME 5

Highway Traffic Act
Allowable Gross Weight for Designated Class of Vehicle ... 573
Appeals ... 574
Commercial Motor Vehicle Inspections ... 575
Commercial Vehicle Operator's Registration Certificates ... 576
Covering of Loads ... 577
Demerit Point System ... 578
Designation of Highways ... 579
Designation of Paved Shoulders on King's Highway ... 580
Disabled Person Parking Permits ... 581
Driver Improvement Program ... 582
Driver Licence Examinations ... 583
Driver's Licence Suspension for Default of Payment of Fine ... 584
Drivers' Licences ... 585
Driving Instructor's Licence ... 586
Equipment ... 587

Reg.

Exemption from Section 7 of the Act—American States ... 588
Exemption from Sections 7 and 11 of the Act—States of the United States of America ... 589
State of Illinois ... 590
State of Michigan ... 591
State of South Dakota ... 592
Exemption from Subsection 85 (1) of the Act—Province of Alberta ... 593
State of New York ... 594
Garage Licences ... 595
General ... 596
Gross Vehicle Weights ... 597
Gross Weight on Bridges ... 598
Highway Closings ... 599
Hours of Work ... 600
Motor Vehicle Inspection Stations ... 601
Notice to Have Motor Vehicle(s) Examined and Tested ... 602
Over-Dimensional Farm Vehicles ... 603
Parking ... 604
Parking of Vehicles in Territory Without Municipal Organization ... 605
Portable Lane Control Signal Systems ... 606
Reciprocal Suspension of Licences ... 607
Restricted Use of Left Lanes by Commercial Motor Vehicles ... 608
Restricted Use of the King's Highway ... 609
Safety Helmets ... 610
Safety Inspections ... 611
School Buses ... 612
Seat Belt Assemblies ... 613
Security of Loads ... 614
Signs ... 615
Slow-Moving Vehicle Sign ... 616
Special Permits ... 617
Specifications and Standards for Trailer Couplings ... 618
Speed Limits ... 619
Speed Limits in Provincial Parks ... 620
Speed Limits in Territory Without Municipal Organization ... 621
Stopping of Vehicles on Parts of the King's Highway ... 622
Stop Signs at Intersections ... 623
Stop Signs in Territory Without Municipal Organization ... 624
Tire Standards and Specifications ... 625
Traffic Control Signal Systems ... 626
Use of Controlled-Access Highways by Pedestrians ... 627
Vehicle Permits ... 628
Vehicles for the Transportation of Physically Disabled Passengers ... 629
Vehicles on Controlled-Access Highways ... 630
Yield Right-of-Way Signs in Territory Without Municipal Organization ... 631

Historical Parks Act
Historical Parks—Fees ... 632
Parks ... 633

Homemakers and Nurses Services Act
General ... 634

Homes for Retarded Persons Act
General ... 635

Homes for Special Care Act
General ... 636

Homes for the Aged and Rest Homes Act
General ... 637

Hospital Labour Disputes Arbitration Act
Remuneration of Chairs and Members of Arbitration Boards ... 638
Rules of Procedure ... 639

Reg.

Hotel Fire Safety Act
General ... 640

Housing Development Act
General ... 641

Human Rights Code Act
Search and Entry Warrants ... 642

Hunter Damage Compensation Act
General ... 643

Hypnosis Act
Application of Section 2 of the Act ... 644

Immunization of School Pupils Act
General ... 645

Income Tax Act
Amounts Deducted or Withheld By Employers ... 646
Ontario Tax Reduction ... 647
Tax Table for Individuals ... 648

Independent Health Facilities Act
Application and Exemptions ... 649
General ... 650

Industrial Standards Act
Designation of Industries and Zones ... 651
Duties of Employers and Advisory Committees ... 652
Interprovincially Competitive Industries ... 653
Publication Costs ... 654
Schedule—
Bricklaying and Stonemasonry Industry—Ottawa ... 655
Bricklaying and Stonemasonry Industry—Toronto ... 656
Electrical Repair and Construction Industry—Toronto ... 657
Fur Industry—Ontario ... 658
Ladies' Cloak and Suit Industry—Ontario ... 659
Ladies' Dress and Sportswear Industry ... 660
Men's and Boys' Clothing Industry—Ontario ... 661
Plastering Industry—Ottawa ... 662

Insurance Act
Agents' Licences ... 663
Automobile Insurance ... 664
Calculations Under Clause 60 (1) (b) of the Act ... 665
Classes of Insurance ... 666
Compensation Corporations ... 667
Fault Determination Rules ... 668
Financial Statements ... 669
General ... 670
Life Companies Special Shares—Investment ... 671
No-Fault Benefits Schedule ... 672
Order Under Paragraph 1 of Subsection 108 (2) of the Act—Rates of Interest ... 673
Replacement of Life Insurance Contracts ... 674
Schedule of Fees ... 675
Uninsured Automobile Coverage ... 676
Variable Insurance Contracts of Life Insurers ... 677

Interpretation Act
Fees Payable Under Various Acts ... 678

Investment Contracts Act
Registration ... 679

Juries Act
General ... 680

Justices of the Peace Act
Salaries and Benefits ... 681

Reg.

Laboratory and Specimen Collection Centre Licensing Act
Laboratories ... 682
Specimen Collection Centres ... 683

Labour Relations Act
General ... 684
Office of the Board ... 685
Rules of Procedure ... 686

Land Registration Reform Act
Automated Recording and Property Mapping ... 687
Documents ... 688

Land Titles Act
Fees ... 689
Forms, Records and Procedures ... 690
Land Titles Divisions ... 691
Surveys and Descriptions of Land ... 692
Transfer of Functions ... 693

Land Transfer Tax Act
Delegation of Authority ... 694
Exemptions—
For Certain Easements Granted to Oil or Gas Pipe Lines ... 695
For Certain Inter-Spousal Transfers ... 696
For Conveyance to Family Farm Corporation or Family Business Corporation ... 697
For Conveyance to Non-Resident Persons and Persons Who Are Not Non-Resident Persons ... 698
Forms ... 699
Leases ... 700
Notice of Purchaser's Lien for Default ... 701
Rates of Interest ... 702
Taxation of Mineral Lands ... 703
Transfers Between Related Corporations ... 704

Landlord and Tenant Act
Classes of Accommodation Deemed not to be Residential Premises ... 705
Forms ... 706
Summary of Part IV of the Act ... 707

Law Society Act
General ... 708
Law Foundation ... 709

Legal Aid Act
General ... 710

VOLUME 6

Legislative Assembly Retirement Allowances Act
General ... 711

Lightning Rods Act
General ... 712

Limited Partnerships Act
General ... 713

Line Fences Act
Appeals ... 714
Forms ... 715
Land in Territory Without Municipal Organization ... 716

Liquor Control Act
General ... 717

Liquor Licence Act
General ... 718

Reg.

Licences to Sell Liquor 719
Manufacturers' Licences 720
Possession of Liquor in Conservation Areas Operated by the Halton Region Conservation Authority 721
Possession of Liquor in Parks Managed or Controlled by the Niagara Parks Commission and the St. Clair Parkway Commission 722
Possession of Liquor in Provincial Parks 723

Livestock and Livestock Products Act
Eggs 724
Livestock 725
Processed Egg 726
Wool 727

Livestock Branding Act
Forms and Fees 728

Livestock Community Sales Act
General 729

Livestock Medicines Act
General 730

Livestock, Poultry and Honey Bee Protection Act
Application for Payment of a Grant 731
Dogs at Large in Unorganized Areas 732

Loan and Trust Corporations Act
General 733

Local Roads Boards Act
Establishment of Local Roads Areas—
Northern and Eastern Regions 734
Northwestern Region 735
General 736

Local Services Boards Act
Local Services Boards 737

Marriage Act
General 738

Meat Inspection Act (Ontario)
General 739

Members' Conflict of Interest Act
Loi sur les conflits d'intérêts des membres de l'Assemblée
General 740
Dispositions générales 740

Mental Health Act
Application of Act 741
Grants 742

Mental Hospitals Act
Application of Section 13 of the Public Hospitals Act 743
General 744

Milk Act
By-Laws for Marketing Boards 745
Cheese—
Exchange 746
Information to be Furnished 747
Marketing 748
Marketing—Exemptions 749
Cream for Processing—
Marketing 750
Plan 751
Cream Producers—Licences 752
Grades, Standards, Designations, Classes, Packing and Marking 753
Industrial Milk—Marketing 754

Reg.

Levies—Milk 755
Marketing Boards 756
Marketing of Milk to Fluid Milk Processors 757
Milk—
Marketing 758
Transportation 759
Milk and Cheese—Plan 760
Milk and Milk Products 761
Milk Producers, Licences, Quotas, Pools and Transportation 762
Milk Products—Extension of Powers 763
Reconstituted Milk—General 764

Mining Act
Exploratory Licences and Leases for Oil and Natural Gas North of the Fifty-first Parallel of Latitude 765
Exploratory Licences and Production Leases for Natural Gas in Lake Erie 766
Mining Divisions 767
Surveys of Mining Claims 768

Mining Tax Act
General 769

Ministry of Colleges and Universities Act
Colleges of Applied Arts and Technology—
Boards of Governors and Council of Regents 770
Colleges 771
Graduate Scholarship Awards 772
Ontario Special Bursary Program 773
Ontario Student Loans 774
Ontario Study Grant Plan 775

Ministry of Community and Social Services Act
Social Assistance Review Board 776

Ministry of Consumer and Commercial Relations Act
Fees 777

Ministry of Correctional Services Act
General 778
Intermittent Sentences 779

Ministry of Health Act
Bursaries and Fellowships for Health Study 780
Chest Diseases Control Clinics 781
Chiropody Bursaries 782
Dental Bursaries 783
District Health Councils 784
Grants—Health Resources 785
Grants to Accredited Nursing Homes 786
Grants to University Faculties of Medicine 787
Medical Bursaries 788
Nursing Bursaries 789
Nursing Innovation Fund 790
Occupational Therapy Bursaries 791
Physiotherapy Bursaries 792
Speech Pathology and Audiology Bursaries 793
Standard Ward Accommodation 794

Ministry of Natural Resources Act
Mining and Lands Commissioner to Hear and Determine Appeals Under Subsection 28 (5) of the Conservation Authorities Act 795

Ministry of Tourism and Recreation Act
Grants for Non-Profit Camps 796
Recreation Programs 797

Mortgage Brokers Act
General 798

Motor Vehicle Accident Claims Act
Designated Insurers 799

Reg.

General ... 800

Motor Vehicle Dealers Act
General ... 801

Motor Vehicle Repair Act
General ... 802

Motorized Snow Vehicles Act
Designations ... 803
General ... 804
Motorized Snow Vehicle Operators' Licences ... 805

Municipal Act
Designation—
Agricultural Research Stations ... 806
Correctional Institutions ... 807
Facilities Under Developmental Services Act ... 808
Municipalities ... 809
Provincial Education Institutions ... 810
Provincial Mental Health Facilities and Public Hospitals ... 811
Universities ... 812
Pension Plan for Municipal Employees ... 813
Small Business Programs ... 814
Waste Management ... 815

Municipal Affairs Act
Tax Arrears and Tax Sale Procedures ... 816

Municipal and School Board Payments Adjustment Act
General ... 817

Municipal Elections Act
Use of Central Vote Tabulators ... 818
Use of Vote Tabulators ... 819
Use of Voting Recorders ... 820

Municipal Extra-Territorial Tax Act
Assessment Equalization Factor ... 821
General ... 822

Municipal Freedom of Information and Protection of Privacy Act
Loi sur l'accès à l'information municipale et la protection de la vie privée
General ... 823
Dispositions générales ... 823

Municipal Tax Sales Act
Loi sur les ventes pour impôts municipaux
Municipal Tax Sales Rules ... 824
Règles concernant les ventes pour impôts municipaux ... 824

Municipality of Metropolitan Toronto Act
Ward Boundaries ... 825

Niagara Escarpment Planning and Development Act
Designation of Area of Development Control ... 826
Designation of Planning Area ... 827
Development Within the Development Control Area ... 828

Niagara Parks Act
General ... 829

Non-Resident Agricultural Land Interests Registration Act
General ... 830

Notaries Act
Fees ... 831

Nursing Homes Act
General ... 832

Reg.

Occupational Health and Safety Act
Control of Exposure to Biological or Chemical Agents ... 833
Critical Injury—Defined ... 834
Designated Substance—
Acrylonitrile ... 835
Arsenic ... 836
Asbestos ... 837
Asbestos on Construction Projects and in Buildings and Repair Operations ... 838
Benzene ... 839
Coke Oven Emissions ... 840
Ethylene Oxide ... 841
Isocyanates ... 842
Lead ... 843
Mercury ... 844
Silica ... 845
Vinyl Chloride ... 846
Designations Under Clause 16 (1) (n) of the Act ... 847
Diving Operations ... 848
Firefighters—Protective Equipment ... 849
Hazardous Materials Inventories ... 850
Industrial Establishments ... 851
Inventory of Agents or Combinations of Agents for the Purpose of Section 34 of the Act ... 852
Joint Health and Safety Committees—Exemption From Requirements ... 853
Mines and Mining Plants ... 854
Oil and Gas—Offshore ... 855
Roll-Over Protective Structures ... 856
Teachers ... 857
University Academics and Teaching Assistants ... 858
Window Cleaning ... 859
Workplace Hazardous Materials Information System (WHMIS) ... 860
X-Ray Safety ... 861

Official Notices Publication Act
Rates ... 862

Off-Road Vehicles Act
General ... 863

Oleomargarine Act
General ... 864

Ombudsman Act
General Rules ... 865

Ontario Agricultural Museum Act
Fees ... 866
General ... 867

Ontario Drug Benefit Act
General ... 868

Ontario Energy Board Act
General ... 869
Rules of Procedure ... 870

Ontario Food Terminal Act
Composition and Procedure of Board ... 871
Conduct of Business ... 872

Ontario Guaranteed Annual Income Act
Forms ... 873
General ... 874

Ontario Heritage Act
Archaeological Sites ... 875
Grants and Loans ... 876
Grants for Museums ... 877
Grants for Plaquing ... 878
Grants to Incorporated Historical Societies and Associations ... 879

Reg.

Historic Sites ... 880
Licences ... 881

Ontario Highway Transport Board Act
Rules of Procedure ... 882

Ontario Home Ownership Savings Plan Act
General ... 883

Ontario Institute for Studies in Education Act
General ... 884

Ontario Lottery Corporation Act
General ... 885

Ontario Mineral Exploration Program Act
Ontario Mineral Incentive Program ... 886
Ontario Prospectors' Assistance Program ... 887

Ontario Municipal Board Act
Fees ... 888
Rules of Procedure ... 889

Ontario Municipal Employees Retirement System Act
General ... 890

Ontario Municipal Improvement Corporation Act
Procedure ... 891

Ontario New Home Warranties Plan Act
Administration of the Plan ... 892
Designation of Corporation ... 893
Terms and Conditions of Registration of Builders and Vendors ... 894

Ontario Pensioners Property Tax Assistance Act
Amount—Clause 2 (2) (a) of the Act ... 895
General ... 896
Grants ... 897

Ontario Place Corporation Act
Fees ... 898

Ontario Telephone Development Corporation Act
Composition and Procedures of Corporation ... 899

VOLUME 7

Ontario Water Resources Act
Municipal Sewage and Water and Roads Class Environmental Assessment Projects ... 900
Plumbing Code ... 901
Rate of Interest ... 902
Wells ... 903

Operating Engineers Act
General ... 904

Ophthalmic Dispensers Act
General ... 905

Paperback and Periodical Distributors Act
General ... 906

Parks Assistance Act
General ... 907

Parkway Belt Planning and Development Act
Parkway Belt Planning Area ... 908

Pension Benefits Act
General ... 909

Reg.

Personal Property Security Act
Branch Offices ... 910
Fees ... 911
General ... 912
Personal Property Security Assurance Fund ... 913

Pesticides Act
General ... 914

Petroleum Resources Act
Exploration Drilling and Production ... 915
Protection of Designated Gas Storage Areas ... 916

Planning Act
Notice Requirements—
Interim Control By-Laws ... 917
Official Plans and Community Improvement Plans ... 918
Removal of Holding Symbol from Zoning By-Law ... 919
Zoning By-Laws ... 920
Planning Board Fees ... 921
Rules of Procedure—
Consent Applications ... 922
Minor Variance Applications ... 923

Plant Diseases Act
General ... 924

Police Services Act
Arbitration ... 925
Equipment ... 926
General—Discipline ... 927
Members' Duty to Prepare Informations ... 928
Municipal Police Forces ... 929
Responsibility of Policing ... 930

Power Corporation Act
Debt Guarantee Fees ... 931
Fees ... 932
Water Heaters ... 933

Prepaid Services Act
General ... 934

Prescription Drug Cost Regulation Act
General ... 935
Notice to Patients ... 936

Private Hospitals Act
General ... 937

Private Investigators and Security Guards Act
General ... 938

Private Vocational Schools Act
General ... 939

Proceedings Against the Crown Act
Garnishment ... 940

Professional Engineers Act
General ... 941

Province of Ontario Savings Office Act
Interest Rate ... 942

Provincial Land Tax Act
Forms ... 943
General ... 944

Provincial Offences Act
Costs ... 945
Extensions of Prescribed Times ... 946

Reg.

Fee for Late Payment of Fine ... 947
Fine Option Program ... 948
Parking Infractions ... 949
Proceedings Commenced by Certificate of Offence ... 950

Provincial Parks Act
Designation of Parks ... 951
General ... 952
Guides in Quetico Provincial Park ... 953
Mining in Provincial Parks ... 954

Psychologists Registration Act
General ... 955

Public Accountancy Act
Licence Fee ... 956

Public Hospitals Act
Capital Grants for the Amalgamation of Hospital Services ... 957
Capital Grants for Ambulance Facilities ... 958
Capital Grants for Capital Expenditures that will Produce Savings in Operating Costs ... 959
Capital Grants for Hospital Construction and Renovation ... 960
Capital Grants for Local Rehabilitation and Crippled Children's Centres ... 961
Capital Grants for Regional Rehabilitation Hospitals ... 962
Capital Grants for Teaching Hospitals ... 963
Classification of Hospitals ... 964
Hospital Management ... 965
Oil Conversion Grants ... 966
Special Grants—
Acquisition of Hospital Facilities ... 967
Correction of Hazardous Conditions ... 968
Management of Biomedical Waste ... 969

Public Institutions Inspection Act
Fees and Allowances to Panel Members ... 970

Public Lands Act
Crown Land Camping Permit ... 971
Fees for Certificates and Orders ... 972
Land Use Permits ... 973
Sale and Lease of Public Lands ... 974
Work Permits ... 975

Public Libraries Act
Grants for Public Libraries ... 976

Public Service Act
General ... 977

Public Transportation and Highway Improvement Act
Intersections in Unorganized Territory ... 978
Permits ... 979
Use of Rest, Service or Other Areas ... 980

Public Trustee Act
General ... 981

Public Vehicles Act
General ... 982

Race Tracks Tax Act
Forms ... 983
General ... 984

Radiological Technicians Act
General ... 985

Real Estate and Business Brokers Act
General ... 986

Reg.

Reciprocal Enforcement of Judgments Act
Application of Act ... 987

Reciprocal Enforcement of Support Orders Act
Reciprocating States ... 988

Registered Insurance Brokers Act
Composition and Election of Council ... 989
Exemptions ... 990
General ... 991

Registry Act
Canada Lands ... 992
Certification Areas ... 993
Fees ... 994
Forms and Records ... 995
Registry Divisions ... 996
Surveys, Plans and Descriptions of Land ... 997
Transfer of Functions ... 998

Regulations Act
General ... 999

Rental Housing Protection Act
General ... 1000

Repair and Storage Liens Act
Fees ... 1001
Forms ... 1002
General ... 1003

Residential Rent Regulation Act
General ... 1004
Regions ... 1005
Rent Determination ... 1006
Rent Registry ... 1007
Rental Housing Maintenance Standards ... 1008
Rules Under Sections 60, 61 and 62 of the Act for Applications and Justifications ... 1009
Suite Hotel ... 1010

Retail Sales Tax Act
Definitions ... 1011
Definitions by Minister ... 1012
General ... 1013

Riding Horse Establishments Act
General ... 1014

VOLUME 8

Securities Act
General ... 1015

Seed Potatoes Act
General ... 1016

Shoreline Property Assistance Act
General ... 1017

Small Business Development Corporations Act
Additional Material to be Furnished with Grant Applications ... 1018
Forms ... 1019
General ... 1020
Terms and Conditions Relating to Beneficial Ownership of Equity Shares ... 1021

St. Clair Parkway Commission Act
General ... 1022

St. Lawrence Parks Commission Act
Parks ... 1023

Reg.

Stock Yards Act
Management 1024

Surveyors Act
Certificates of Registration 1025
General 1026

Surveys Act
Monuments 1027
Ontario Co-ordinate System 1028
Survey Methods 1029

Technology Centres Act
Ontario Centre for Resource Machinery Technology 1030

Theatres Act
General 1031

Tile Drainage Act
Borrowing By-Laws, Debentures and Loans 1032

Tobacco Tax Act
Forms 1033
General 1034
Refunds 1035

Toronto Area Transit Operating Authority Act
General 1036

Tourism Act
General 1037

Trades Qualification Act
Air Cooled and Marine Engine Mechanic 1038
Alignment and Brakes Mechanic 1039
Auto Body Repairer 1040
Automatic Machinist 1041
Automotive Machinist 1042
Automotive Painter 1043
Baker 1044
Brick and Stone Mason 1045
Cement Mason 1046
Construction Boilermaker 1047
Construction Millwright 1048
Cook 1049
Dry Cleaner 1050
Electrician 1051
Farm Equipment Mechanic 1052
Fitter (Structural Steel/Platework) 1053
Fuel and Electrical Systems Mechanic 1054
General 1055
General Carpenter 1056
General Machinist 1057
Glazier and Metal Mechanic 1058
Heavy Duty Equipment Mechanic 1059
Hoisting Engineer 1060
Horticulturist 1061
Industrial Electrician 1062
Industrial Mechanic (Millwright) 1063
Industrial Woodworker 1064
Ironworker 1065
Lather 1066
Lineworker 1067
Motor Vehicle Mechanic 1068
Motorcycle Mechanic 1069
Mould Maker 1070
Painter and Decorator 1071
Plasterer 1072

Reg.

Plumber 1073
Printer 1074
Radio and Television Service Technician 1075
Refrigeration and Air-Conditioning Mechanic 1076
Sheet Metal Worker 1077
Sprinkler and Fire Protection Installer 1078
Steamfitter 1079
Tool and Die Maker 1080
Transmission Mechanic 1081
Truck-Trailer Repairer 1082
Watch Repairer 1083

Transboundary Pollution Reciprocal Access Act
Reciprocating Jurisdictions 1084

Travel Industry Act
General 1085

Truck Transportation Act
Conditions of Carriage—
Carriers of 01 41—Livestock and 01 92—Animal Specialties 1086
General Freight Carriers 1087
Household Goods Carriers 1088
Intermediaries 1089
Obligations of Licensees 1090
Operating Licences 1091

Upholstered and Stuffed Articles Act
General 1092

Veterinarians Act
General 1093

Vital Statistics Act
General 1094

Vocational Rehabilitation Services Act
General 1095

Weed Control Act
General 1096

Wild Rice Harvesting Act
General 1097

Wilderness Areas Act
Wilderness Areas 1098

Wine Content Act
Wine Blending Requirements 1099

Woodlands Improvement Act
General 1100

Workers' Compensation Act
First Aid Requirements 1101
General 1102
Pension Plan 1103

VOLUME 9

Rules of Civil Procedure
(Courts of Justice Act) 194
Règles de procédure civile
(Loi sur les tribunaux judiciaires) 194

Reg./Règl. 126

Conservation Authorities Act
Loi sur les offices de protection de la nature

REGULATION 126

CONSERVATION AREAS—NORTH GREY REGION

1. In this Regulation,

"Authority" means North Grey Region Conservation Authority;

"conservation area" means an area consisting of one or more parcels of land owned or leased by the Authority;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"vehicle" means a vehicle as defined in the *Highway Traffic Act*. R.R.O. 1980, Reg. 142, s. 1.

2. This Regulation applies to the use by the public of conservation areas and the works, vehicles, boats, services and other property of the Authority. R.R.O. 1980, Reg. 142, s. 2.

3. No person shall,

(a) deface, remove or damage any property in a conservation area;

(b) remove, injure or destroy any tree, shrub, plant, flower or other growing thing or any soil, rock or other material in a conservation area;

(c) kill, trap, hunt, pursue or in any manner disturb or cause to be disturbed any wild bird, animal or reptile within a conservation area, except,

(i) in an area designated by the Authority for that purpose, and

(ii) under the authority of a permit issued by the Secretary-Treasurer of the Authority;

(d) be in possession of, or fire or discharge any firearm, rocket or fireworks of any type or kind in a conservation area; or

(e) perform any act that causes or is likely to cause a danger to other persons using a conservation area. R.R.O. 1980, Reg. 142, s. 3.

4. No person shall leave any refuse or other objects or material within a conservation area except in receptacles or pits provided by the Authority for that purpose. R.R.O. 1980, Reg. 142, s. 4.

5. No person shall erect, post, paste, fasten, paint or affix any placard, bill, notice or sign in a conservation area unless a permit therefor is first obtained from the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 142, s. 5.

6.—(1) No person shall take any animal into a conservation area unless a permit therefor is first obtained from the Secretary-Treasurer of the Authority.

(2) No person shall permit an animal to be in a conservation area unless the animal is secured by a leash.

(3) No person shall permit an animal to be in any waters in a conservation area set aside for wading, bathing or swimming. R.R.O. 1980, Reg. 142, s. 6.

7. No person shall,

(a) sell or offer for sale any article or service;

(b) beg or solicit charity; or

(c) advertise or carry on any business or commercial enterprise,

within a conservation area except under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 142, s. 7.

8. No person shall conduct a public meeting or perform any act that causes persons to congregate or is likely to cause persons to congregate in a conservation area except under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 142, s. 8.

9. No person shall be in a conservation area after sunset and before sunrise except under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 142, s. 9.

10. No person shall wade, bathe or swim in a conservation area except at such times and at such places as are designated by the Authority for that purpose. R.R.O. 1980, Reg. 142, s. 10.

11. No person shall operate or use a boat in any waters within the confines of a conservation area, except in areas designated for such purpose. R.R.O. 1980, Reg. 142, s. 11.

12.—(1) Except under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority, no person shall light or maintain a fire in a conservation area in a place other than a fireplace or other location provided by the Authority for that purpose.

(2) No person who lights a fire in a conservation area shall leave the fire unattended or leave the site of the fire before the fire is completely extinguished. R.R.O. 1980, Reg. 142, s. 12.

13. Except in conservation areas that have been designated and posted by the Authority for hunting and archery, no person other than a peace officer shall possess an air-gun, firearm, sling-shot or archery equipment in a conservation area. R.R.O. 1980, Reg. 142, s. 13.

14.—(1) No person shall camp in a conservation area except in such places as are designated by the Authority for that purpose.

(2) No person shall occupy a camp-site except under the authority of a permit issued therefor by the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 142, s. 14.

15.—(1) Sections 135, 141, 142 and 148 of the *Highway Traffic Act* apply with necessary modifications to the operation of vehicles on roads under the jurisdiction of the Authority.

(2) No person shall,

(a) operate a vehicle within a conservation area except on a roadway or other place set aside by the Authority for that purpose;

(b) operate a vehicle at a speed in excess of 15 miles per hour

unless otherwise posted on any road under the jurisdiction of the Authority;

(c) park a vehicle within a conservation area in a place other than one that has been designated by the Authority for that purpose;

(d) operate a commercial vehicle, as defined in the *Truck Transportation Act*, within a conservation area for commercial purposes, except for the purpose of making deliveries within the conservation area; or

(e) operate a motorized snow vehicle on nature trails in a conservation area.

(3) An officer may direct traffic and, in cases of fire, accident, traffic congestion or other emergency, may direct it into such channels as are necessary to prevent or relieve congestion or give right of way.

(4) Every person shall obey any direction given under subsection (3). R.R.O. 1980, Reg. 142, s. 15.

16.—(1) No person shall operate a motorized snow vehicle in a conservation area except,

(a) under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority; and

(b) in a part thereof that is so designated by the Authority for that purpose.

(2) Every operator of a motorized snow vehicle shall produce the permit to operate the vehicle in a conservation area for inspection by an officer upon request.

(3) No person shall operate a motorized snow vehicle in a conservation area except where a permit under the *Motorized Snow Vehicles Act* has been issued therefor.

(4) No person shall operate a motorized snow vehicle in a conservation area unless the person is insured under a motor vehicle liability policy in accordance with the *Insurance Act* in respect thereof. R.R.O. 1980, Reg. 142, s. 16.

17.—(1) A conservation area or any part thereof may be closed entirely during such specified periods of time as the Authority determines and no person shall enter upon or occupy any such conservation area or any part thereof during the times so posted.

(2) A conservation area or any part thereof may be closed to certain uses during such specified periods of time as the Authority determines and no person shall enter upon or occupy such conservation area or any part thereof for such specified uses during the times so posted. R.R.O. 1980, Reg. 142, s. 17.

18. Staff members of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 142, s. 18.

REGULATION 127

CONSERVATION AREAS—NOTTAWASAGA VALLEY

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the Nottawasaga Valley Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means the person designated by the Authority as being in charge of the conservation area. O. Reg. 56/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 56/88. s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 56/88, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 56/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 56/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area, except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area, except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area, except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 56/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area, except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 56/88, s. 7.

CAMPING PERMITS

8.—(1) No person shall,

(a) occupy a camp-site, except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

(a) one motor vehicle other than a motorcycle; or

(b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 56/88, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area, except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 56/88, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 56/88, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle, except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 56/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 56/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 56/88, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 56/88, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 56/88, Sched.

REGULATION 128

CONSERVATION AREAS—OTONABEE REGION

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but not a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the Otonabee Region Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but not an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means the person designated by the Authority as being in charge of the conservation area. O. Reg. 595/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 595/88, s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 595/88, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language, or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 595/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 595/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 595/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 595/88, s. 7.

CAMPING PERMITS

8.—(1) No person shall,

(a) occupy a camp-site except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

(a) one motor vehicle; or

(b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 595/88, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 595/88, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 595/88, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place that is likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 595/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 595/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 595/88, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 595/88, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 595/88, Sched.

REGULATION 129

CONSERVATION AREAS—PRINCE EDWARD REGION

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the Prince Edward Region Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means the person designated by the Authority as being in charge of the conservation area. O. Reg. 118/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 118/88. s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 118/88, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 118/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 118/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area, except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 118/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 118/88, s. 7.

CAMPING PERMITS

8.—(1) No person shall,

(a) occupy a camp-site, except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

(a) one motor vehicle other than a motorcycle; or

(b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 118/88, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area, except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 118/88, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 118/88, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 118/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 118/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 118/88, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 118/88, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 118/88, Sched.

REGULATION 130

CONSERVATION AREAS—RIDEAU VALLEY

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the Rideau Valley Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means the person designated by the Authority as being in charge of the conservation area. O. Reg. 205/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 205/88, s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 205/88, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 205/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 205/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 205/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 205/88, s. 7.

CAMPING PERMITS

8.—(1) No person shall,

(a) occupy a camp-site except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

(a) one motor vehicle other than a motorcycle; or

(b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 205/88, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 205/88, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 205/88, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 205/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 205/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 205/88, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 205/88, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 205/88, Sched.

REGULATION 131

CONSERVATION AREAS—ST. CLAIR REGION

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the St. Clair Region Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the Highway Traffic Act, but does not include an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means the person designated by the Authority as being in charge of the conservation area. O. Reg. 117/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 117/88, s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 117/88, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 117/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 117/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area, except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 117/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 117/88, s. 7.

8.—(1) No person shall,

(a) occupy a camp-site except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

(a) one motor vehicle other than a motorcycle; or

(b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 117/88, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 117/88, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimmlng or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 117/88, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 117/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 117/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 117/88, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 117/88, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 117/88, Sched.

REGULATION 132

CONSERVATION AREAS—SAUBLE VALLEY

1. In this Regulation,

"Authority" means The Sauble Valley Conservation Authority;

"conservation area" means an area consisting of one or more parcels of land owned or leased by the Authority;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"vehicle" means a vehicle as defined in the *Highway Traffic Act*. R.R.O. 1980, Reg. 148, s. 1.

2. This Regulation applies to the use by the public of conservation areas and the works, vehicles, boats, services and other property of the Authority. R.R.O. 1980, Reg. 148, s. 2.

3. No person shall,

(a) deface, remove or damage any property in a conservation area;

(b) remove, injure or destroy any tree, shrub, plant, flower or other growing thing or any soil, rock or other material in a conservation area;

(c) kill, trap, hunt, pursue or in any manner disturb or cause to be disturbed any wild bird, animal or reptile within a conservation area, except,

(i) in an area designated by the Authority for that purpose, and

(ii) under the authority of a permit issued by the Secretary-Treasurer of the Authority;

(d) be in possession of, or fire or discharge any firearm, rocket or fireworks of any type or kind in a conservation area; or

(e) perform any act that causes or is likely to cause a danger to other persons using a conservation area. R.R.O. 1980, Reg. 148, s. 3.

4. No person shall leave any refuse or other objects or material within a conservation area except in receptacles or pits provided by the Authority for that purpose. R.R.O. 1980, Reg. 148, s. 4.

5. No person shall erect, post, paste, fasten, paint or affix any placard, bill, notice or sign in a conservation area unless a permit therefor is first obtained from the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 148, s. 5.

6.—(1) No person shall take any animal into a conservation area unless a permit therefor is first obtained from the Secretary-Treasurer of the Authority.

(2) No person shall permit an animal to be in a conservation area unless the animal is secured by a leash.

(3) No person shall permit an animal to be in any waters in a conservation area set aside for wading, bathing or swimming. R.R.O. 1980, Reg. 148, s. 6.

7. Except under the authority of a permit issued by the Secretary-Treasurer of the Authority, no person within a conservation area shall,

(a) sell or offer for sale any article or service;

(b) beg or solicit charity; or

(c) advertise or carry on any business or commercial enterprise. R.R.O. 1980, Reg. 148, s. 7.

8. No person shall conduct a public meeting or perform any act that causes persons to congregate or is likely to cause persons to congregate in a conservation area except under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 148, s. 8.

9. No person shall be in a conservation area after sunset and before sunrise except under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 148, s. 9.

10. No person shall wade, bathe or swim in a conservation area except at such times and at such places as are designated by the Authority for that purpose. R.R.O. 1980, Reg. 148, s. 10.

11. No person shall operate or use a boat in any waters within the confines of a conservation area, except in areas designated for such purpose. R.R.O. 1980, Reg. 148, s. 11.

12.—(1) Except under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority, no person shall light or maintain a fire in a conservation area in a place other than a fireplace or other location provided by the Authority for that purpose.

(2) No person who lights a fire in a conservation area shall leave the fire unattended or leave the site of the fire before the fire is completely extinguished. R.R.O. 1980, Reg. 148, s. 12.

13. Except in conservation areas that have been designated and posted by the Authority for hunting and archery, no person other than a peace officer shall possess an air-gun, firearm, sling-shot or archery equipment in a conservation area. R.R.O. 1980, Reg. 148, s. 13.

14.—(1) No person shall camp in a conservation area except in such places as are designated by the Authority for that purpose.

(2) No person shall occupy a camp-site except under the authority of a permit issued therefor by the Secretary-Treasurer of the Authority. R.R.O. 1980, Reg. 148, s. 14.

15.—(1) Sections 135, 141, 142 and 148 of the *Highway Traffic Act* apply with necessary modifications to the operation of vehicles on roads under the jurisdiction of the Authority.

(2) No person shall,

(a) operate a vehicle within a conservation area except on a roadway or other place set aside by the Authority for that purpose;

(b) operate a vehicle at a speed in excess of 15 miles per hour unless otherwise posted, on any road under the jurisdiction of the Authority;

(c) park a vehicle within a conservation area in a place other than one that has been designated by the Authority for that purpose;

(d) operate a commercial vehicle, as defined in the *Truck Transportation Act*, within a conservation area for commercial purposes, except for the purpose of making deliveries within the conservation area; or

(e) operate a motorized snow vehicle on nature trails in a conservation area.

(3) An officer may direct traffic and, in cases of fire, accident, traffic congestion or other emergency, may direct it into such channels as are necessary to prevent or relieve congestion or give right of way.

(4) Every person shall obey any direction given under subsection (3). R.R.O. 1980, Reg. 148, s. 15.

16.—(1) No person shall operate a motorized snow vehicle in a conservation area except,

(a) under the authority of a permit therefor issued by the Secretary-Treasurer of the Authority; and

(b) in a part thereof that is so designated by the Authority for that purpose.

(2) Every operator of a motorized snow vehicle shall produce the permit to operate the vehicle in a conservation area for inspection by an officer upon request.

(3) No person shall operate a motorized snow vehicle in a conservation area except where a permit under the *Motorized Snow Vehicles Act* has been issued therefor.

(4) No person shall operate a motorized snow vehicle in a conservation area unless the person is insured under a motor vehicle liability policy in accordance with the *Insurance Act* in respect thereof. R.R.O. 1980, Reg. 148, s. 16.

17.—(1) A conservation area or any part thereof may be closed entirely during such specified periods of time as the Authority determines and no person shall enter upon or occupy any such conservation area or any part thereof during the times so posted.

(2) A conservation area or any part thereof may be closed to certain uses during such specified periods of time as the Authority determines and no person shall enter upon or occupy such conservation area or any part thereof for such specified uses during the times so posted. R.R.O. 1980, Reg. 148, s. 17.

18. Staff members of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 148, s. 18.

REGULATION 133

CONSERVATION AREAS—SAUGEEN VALLEY

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the Saugeen Valley Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the *Highway Traffic Act*, but not an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power-boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means a person designated by the Authority as being in charge of the conservation area. O. Reg. 545/89, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 545/89, s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 545/89, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times. O. Reg. 545/89, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 545/89, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 545/89, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 545/89, s. 7.

CAMPING PERMITS

8.—(1) No person shall,

(a) occupy a camp-site except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) The holder of a camping permit may park, on the camp-site,

(a) one motor vehicle; or

(b) two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a motor vehicle on a camp-site if in so doing the number of motor vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 545/89, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 545/89, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 545/89, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 545/89, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 545/89, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 545/89, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 545/89, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136

Subsections 138 (1), 140 (1), (2), (3) and (4), 141 (1), (2), (5) and (6), 142 (1), (2), (3), (4), (6), (7) and (8)

Sections 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167, 168

Subsections 170 (1), (2), (3), (8), (9), (10), (11) and (12), 172 (1)

Sections 173, 177 to 180

Subsection 182 (2)

Section 188

O. Reg. 545/89, Sched.

REGULATION 134

CONSERVATION AREAS—SAULT STE. MARIE REGION

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the Sault Ste. Marie Region Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means the person designated by the Authority as being in charge of the conservation area. O. Reg. 206/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 206/88, s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 206/88, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 206/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 206/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 206/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 206/88, s. 7.

CAMPING PERMITS

8.—(1) No person shall,

(a) occupy a camp-site except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

(a) one motor vehicle other than a motorcycle; or

(b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 206/88, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 206/88, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 206/88, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 206/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 206/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 206/88, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 206/88, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 206/88, Sched.

REGULATION 135

CONSERVATION AREAS—SOUTH NATION RIVER

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the South Nation River Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means the person designated by the Authority as being in charge of the conservation area. O. Reg. 628/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 628/88, s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 628/88, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language, or make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area, except at the locations designated by the Authority.

(4) No person shall enter or remain in a conservation area or part thereof that is designated as closed during certain times during those times. O. Reg. 628/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 628/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 628/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 628/88, s. 7.

CAMPING PERMITS

8.—(1) No person shall,

(a) occupy a camp-site except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons if they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

(a) one motor vehicle; or

(b) up to two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 628/88, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 628/88, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 628/88, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle except in accordance with subsection 8 (4), 8 (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place that is likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 628/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 628/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 628/88, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 628/88, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 628/88, Sched.

REGULATION 136

CONSERVATION AREAS—UPPER THAMES RIVER

INTERPRETATION

1. In this Regulation,

"all-terrain vehicle" means a self-propelled vehicle intended to be driven,

(a) on snow, ice, or snow and ice, or

(b) on land and water,

but does not include a motor vehicle, a motorized snow vehicle, an off-road vehicle or a boat;

"Authority" means the Upper Thames River Conservation Authority;

"boat" means a watercraft or other contrivance used or capable of being used as a means of transportation on water, but does not include an all-terrain vehicle;

"camp-site" means a parcel of land in an area operated by the Authority for camping and identified by a camp-site number, post, marker or other means;

"conservation area" means the land owned by the Authority;

"highway" means a highway as defined in the *Highway Traffic Act* and a highway whose use or intended use is restricted to permit holders;

"motorcycle" means a motorcycle as defined in the *Highway Traffic Act*;

"motorized snow vehicle" means a motorized snow vehicle as defined in the *Motorized Snow Vehicles Act*;

"motor vehicle" means a motor vehicle as defined in the *Highway Traffic Act*, but does not include an all-terrain vehicle or an off-road vehicle;

"officer" means a member of a municipal police force within an area under the jurisdiction of the Authority, a member of the Ontario Provincial Police Force or a person or member of a class of persons appointed by the Authority to enforce this Regulation;

"off-road vehicle" means an off-road vehicle as defined in the *Off-Road Vehicles Act*;

"power boat" means a boat that is propelled otherwise than by sail or muscular power;

"roadway" means a roadway as defined in the *Highway Traffic Act*;

"superintendent" means the person designated by the Authority as being in charge of the conservation area. O. Reg. 57/88, s. 1.

2. This Regulation does not apply to any conservation area that is operated or managed by a municipality or a person or group of persons under an agreement between the municipality, person or group of persons and the Authority. O. Reg. 57/88, s. 2.

PERMITS

3.—(1) A permit required for any purpose under this Regulation may be issued on behalf of the Authority by the secretary-treasurer of the Authority or another person appointed by the executive committee of the Authority.

(2) A permit issued under this Regulation is not transferable. O. Reg. 57/88, s. 3.

PROHIBITED ACTIVITIES AND ACTIVITIES REQUIRING PERMITS

4.—(1) No person shall, in the conservation area,

(a) beg;

(b) deface, remove or damage any property;

(c) cut, remove, injure or destroy a plant, tree, shrub, flower or other growing thing;

(d) remove or destroy any soil or rock; or

(e) use abusive, insulting or threatening language, make excessive noise or disturb other persons.

(2) No person shall, in the conservation area, except under a permit issued by the Authority,

(a) kill, trap, pursue or disturb a wild bird, reptile or animal;

(b) possess or ignite fireworks;

(c) camp;

(d) make an excavation;

(e) possess, shoot, discharge or use a spring gun, air gun, firearm, slingshot or any archery equipment;

(f) erect, paint or affix a sign or notice;

(g) sell or offer for sale an article or service;

(h) engage in fund raising;

(i) advertise or carry on a business or enterprise;

(j) conduct a public performance of any kind, or bring equipment for public entertainment into the conservation area;

(k) conduct a public meeting or do anything that is likely to cause persons to congregate; or

(l) remain in the conservation area after the posted times.

(3) No person shall enter or leave the conservation area except at the locations designated by the Authority.

(4) Where the Authority has designated the conservation area or a part of it as being closed during certain times, no person shall enter or remain in the conservation area or that part of it, as the case may be, during those times. O. Reg. 57/88, s. 4.

5.—(1) No person shall deposit litter in the conservation area except in a container designated for the purpose.

(2) Every person using a camp-site or other facility in a conservation area shall maintain it in a clean and sanitary condition at all times and, when vacating it, shall restore it as nearly as possible to its natural condition. O. Reg. 57/88, s. 5.

6.—(1) No person shall wade, bathe or swim in the conservation area, except during the times and in the areas designated by the Authority.

(2) No person shall use a boat in the conservation area, except in the areas designated by the Authority.

(3) No person shall operate a power boat in the conservation area, except under a permit issued by the Authority and in the areas designated by the Authority. O. Reg. 57/88, s. 6.

7.—(1) No person shall start or maintain a fire in the conservation area, except in a fireplace or other location designated by the Authority or under a permit issued by the Authority.

(2) No person who starts or maintains a fire in the conservation area shall leave the fire unattended or leave the site of the fire before it is completely extinguished. O. Reg. 57/88, s. 7.

CAMPING PERMITS

8.—(1) No person shall,

(a) occupy a camp-site, except under a permit issued by the Authority; or

(b) occupy a camp-site, under a permit issued by the Authority, after check-out time on the departure day set out in the permit.

(2) A camping permit, other than a group camping permit, authorizes the holder and five other persons, or a greater number of persons where they are a single family of parents and their children, to occupy the camp-site designated in the permit.

(3) A group camping permit authorizes members of a religious, charitable, educational or other philanthropic organization to occupy the camp-site designated in the permit.

(4) A holder of a camping permit may park, on the camp-site,

(a) one motor vehicle other than a motorcycle; or

(b) not more than two motorcycles.

(5) No person shall park, except with the permission of the superintendent, a vehicle on a camp-site if in so doing the number of vehicles permitted by subsection (4) is exceeded.

(6) A holder of a camping permit may park a motor vehicle in a designated parking area with the superintendent's permission. O. Reg. 57/88, s. 8.

DAY-USE AREA PERMITS

9.—(1) No person shall,

(a) enter or remain in an area designated by the Authority as a day-use permit area, except under a permit issued by the Authority; or

(b) remain in an area designated by the Authority as a day-use permit area after check-out time on the day set out in the permit.

(2) A day-use area permit authorizes the holder and the other members of the holder's party to enter and remain in the day-use area set out in the permit until check-out time on the day set out in the permit and to park one motor vehicle in a designated parking area. O. Reg. 57/88, s. 9.

ANIMALS

10.—(1) No person shall bring an animal other than a dog or cat into the conservation area except under a permit issued by the Authority.

(2) No person who owns or controls an animal shall, in the conservation area, permit the animal to,

(a) make excessive noise or disturb other persons;

(b) enter water designated for wading, bathing or swimming or be on the beach adjacent to that water; or

(c) be at large.

(3) For the purposes of clause (2) (c), an animal that is secured by a leash more than two metres long shall be considered to be at large.

(4) No person shall ride or lead a horse or similar animal in the conservation area, except on a highway or other place designated by the Authority, or leave a horse or similar animal in a location where it is likely to cause danger or inconvenience to other persons.

(5) Despite clause (2) (c), a person may use or be accompanied by a dog that is not secured by a leash while hunting or training within the meaning of the *Game and Fish Act* if,

(a) hunting or training is permitted in the conservation area; and

(b) the person complies with the *Game and Fish Act* and the regulations under that Act. O. Reg. 57/88, s. 10.

VEHICLES AND TRAFFIC

11.—(1) The provisions of the *Highway Traffic Act* set out in the Schedule apply with necessary modifications to the operation of motor vehicles on highways in the conservation area.

(2) No person shall, in the conservation area,

(a) operate a motor vehicle or ride a bicycle, except on a roadway or other place designated by the Authority;

(b) operate a motor vehicle at a speed exceeding twenty kilometres per hour or the speed posted by the Authority as the permitted maximum, whichever is higher;

(c) park a motor vehicle, except in accordance with subsection 8 (4), (5) or 9 (2);

(d) park a motor vehicle in a position that is likely to prevent the free or convenient movement of other vehicles;

(e) leave a bicycle in a place likely to cause danger or inconvenience to other persons; or

(f) operate a commercial vehicle, as defined in the *Truck Transportation Act*, except with the permission of the superintendent. O. Reg. 57/88, s. 11.

12. No person shall operate an all-terrain vehicle, an off-road vehicle or a motorized snow vehicle in the conservation area, except,

(a) under a permit issued by the Authority and in a place designated by the Authority for the operation, with permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles; or

(b) in a place designated by the Authority for the operation, without permits, of all-terrain vehicles, off-road vehicles or motorized snow vehicles. O. Reg. 57/88, s. 12.

13. An officer may direct traffic in the conservation area, and every person shall obey a direction respecting traffic given by an officer. O. Reg. 57/88, s. 13.

APPOINTMENT OF OFFICERS

14. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 57/88, s. 14.

Schedule

Highway Traffic Act

Sections 133, 135, 136, 138, 140

Subsections 141 (1), (2), (5) and (6)

Sections 142, 143, 147 to 150, 153

Clause 154 (1) (a)

Sections 156 to 160, 162, 165, 167 to 173, 177 to 180, 182, 184, 188

O. Reg. 57/88, Sched.

REGULATION 137

FILL—GRAND VALLEY

1. In this Regulation,

"Authority" means the Grand Valley Conservation Authority;

"fill" means fill of any kind. R.R.O. 1980, Reg. 154, s. 1.

2. Subject to section 3, no person shall place or dump fill or permit fill to be placed or dumped in any area below the high-water mark of any river, creek or stream in the area under the jurisdiction of the Authority. R.R.O. 1980, Reg. 154, s. 2.

3. Subject to the *Ontario Water Resources Act*, or to any private interest, the Authority may permit in writing the placing or dumping of fill in an area below the high water mark, if, in the opinion of the Authority, the placing or dumping does not interfere with the ability of the river, creek or stream to safely carry the maximum flood flows and will not result in pollution of the river, creek or stream. R.R.O. 1980, Reg. 154, s. 3.

4. No dumping or placing of fill below the high-water mark of the river, creek or stream shall be commenced until the registered owner of the property has obtained the permission required by section 3. R.R.O. 1980, Reg. 154, s. 4.

5. Application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) two copies of a plan of the property on which the fill is to be placed, showing the proposed location of the filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) a complete description of the type of fill proposed to be placed or dumped;

(c) a statement of the dates between which the placing or dumping will be carried out; and

(d) a statement of the proposed use of the land following completion of placing or dumping. R.R.O. 1980, Reg. 154, s. 5.

6. The Authority may, at any time, withdraw permission to place or dump fill if, in the opinion of the Authority, the representations contained in the application for permission to place or dump fill are not carried out. R.R.O. 1980, Reg. 154, s. 6.

REGULATION 138

FILL—MOIRA RIVER

1. In this Regulation,

"Authority" means the Moira River Conservation Authority;

"fill" means fill of any kind;

"water lot" means,

(a) any pond or swamp, and

(b) any area below the high-water mark of a lake, river, creek or stream,

in the area under the jurisdiction of the Authority. R.R.O. 1980, Reg. 155, s. 1.

2. Subject to section 3, no person shall, in a water lot,

(a) construct any building or structure or permit any building or structure to be constructed; or

(b) place or dump fill or permit fill to be placed or dumped. R.R.O. 1980, Reg. 155, s. 2.

3. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill in any part of a water lot if, in the opinion of the Authority, the construction of the building or structure or the placing or dumping of fill does not interfere with the ability of the water lot to safely carry the maximum flood flows and will not result in pollution of the water on the water lot. R.R.O. 1980, Reg. 155, s. 3.

4. No construction of any building or structure or no dumping or placing of fill in a water lot shall be commenced before the permission required by section 3 has been obtained. R.R.O. 1980, Reg. 155, s. 4.

5.—(1) An application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) three copies of a plan of the property on which the building or structure is to be constructed;

(b) two copies of a complete description of the type of building or structure to be constructed;

(c) two copies of a statement of the dates between which the construction will be carried out; and

(d) two copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) An application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) three copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) two copies of a complete description of the type of fill proposed to be placed or dumped;

(c) two copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) two copies of a statement of the proposed use of the land following completion of placing or dumping. R.R.O. 1980, Reg. 155, s. 5.

6. The Authority may, at any time, withdraw any permission given under section 3 if, in the opinion of the Authority, the representations contained in the application for the permission are not carried out. R.R.O. 1980, Reg. 155, s. 6.

REGULATION 139

FILL—SPENCER CREEK

1. In this Regulation,

"Authority" means the Spencer Creek Conservation Authority;

"fill" means fill of any kind. R.R.O. 1980, Reg. 156, s. 1.

2. Subject to section 3, no person shall place or dump fill or permit fill to be placed or dumped in any area below the high-water mark of any river, creek or stream under the jurisdiction of the Authority. R.R.O. 1980, Reg. 156, s. 2.

3. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the placing or dumping of fill in an area below the high-water mark, if, in the opinion of the Authority, the placing or dumping does not interfere with the ability of the river, creek or stream to safely carry the maximum flood flows and will not result in the pollution of the river, creek or stream. R.R.O. 1980, Reg. 156, s. 3.

4. No dumping or placing of fill below the high-water mark of the river, creek or stream shall be commenced until the registered owner of the property has obtained the permission required by section 3. R.R.O. 1980, Reg. 156, s. 4.

5. Application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) two copies of a plan of the property on which the fill is to be placed, showing the proposed location of the filling, the depth to which it is proposed to fill and the proposed final grade of the land when the filling is completed;

(b) a complete description of the type of fill proposed to be placed or dumped;

(c) a statement of the dates between which the placing or dumping will be carried out; and

(d) a statement of the proposed use of the land following the completion of placing or dumping. R.R.O. 1980, Reg. 156, s. 5.

6. The Authority may, at any time, withdraw permission to place or dump fill if, in the opinion of the Authority, the representations contained in the application for permission to place or dump the fill are not carried out. R.R.O. 1980, Reg. 156, s. 6.

REGULATION 140

FILL AND ALTERATION TO WATERWAYS—RAISIN REGION

1. In this Regulation,

"Authority" means the Raisin Region Conservation Authority;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedule;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 158, s. 1.

2. The areas described in the Schedule to this Regulation are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 158, s. 2, *revised*.

3. Subject to section 4, no person shall,

(a) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedule to this Regulation whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(b) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 158, s. 3, *revised*.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of the land. R.R.O. 1980, Reg. 158, s. 4.

5. No person shall place or dump fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 158, s. 5.

6.—(1) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(2) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 158, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 158, s. 7.

8. Members of the staff of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 158, s. 8.

Schedule

Those parts of the St. Lawrence River, Lake St. Lawrence and Lake St. Francis within the municipal boundaries of the townships of Osnabruck and Cornwall and the City of Cornwall in the County of Stormont and the townships of Charlottenburgh and Lancaster in the County of Glengarry, as shown delineated by the fill line coloured red on a map filed in the office of the Registrar of Regulations at Toronto as No. 1997 excepting those lands outlined in green on the said map. R.R.O. 1980, Reg. 158, Sched. 1.

REGULATION 141

FILL AND ALTERATIONS TO WATERWAYS—SAULT STE. MARIE REGION CONSERVATION AUTHORITY

1. In this Regulation,

"Authority" means The Sault Ste. Marie Region Conservation Authority;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 683/81, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 683/81, s. 2.

3. Subject to section 4, no person shall,

(a) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(b) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. O. Reg. 683/ 81, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit, in writing, the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the placing or dumping and the method of placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 683/81, s. 4.

5. No person shall commence to place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 683/81, s. 5.

6.—(1) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(2) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross-section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 683/81, s. 6.

7. The Authority may from time to time appoint officers to enforce this Regulation. O. Reg. 683/81, s. 7.

Schedule 1

In the Township of Prince, in the District of Algoma and being composed of these parts of the following Sections and as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Sudbury as SSM1-1 and listed as follows:

Part			Section	S.S.M. Map Numbers
Part of the	NW¼ of	entire section	1	0409, 0410, 0509, 0510
	SE¼ of	NE¼		
	N½ of	SW¼		
	SE¼ of	entire section		
Part of the	S½ of	entire section	2	0309, 0409, 0310, 0410
	SE¼ of	NE¼		
Part of the	SW¼ of	SE¼	9	0308, 0309
	NE¼ of	SE¼		
	SE¼ of	N¼		
Part of the	S½ of	entire section	10	0308, 0309
	SE¼ of	NE¼		
Part of the	N½ of	NW¼	11	0308, 0309, 0408, 0409
	SE¼ of	NW¼		
	NE¼ of	entire section		
	W½ of	SE¼		
	SE¼ of	SE¼		
	SW¼ of	entire section		
Part of the	N½ of	entire section	12	0408, 0409, 0508, 0509
	SW¼ of	SW¼		
	N½ of	SE¼		
	SE¼ of	SE¼		
Part of the	S½ of	NE¼	13	0407, 0408, 0507, 0508
	S½ of	entire section		
Part of the	NW¼ of	entire section	14	0307, 0308, 0407, 0408
	W½ of	NE¼		
	NE¼ of	NE¼		
	W½ of	SE¼		
	SW¼ of	entire section		
Part of the	N½ of	entire section	15	0307, 0308
	NW¼ of	SW¼		
	S½ of	SW¼		
	SE¼ of	entire section		
Part of the	N½ of	NE¼	16	0307, 0308
	SE¼ of	NE¼		
	NE¼ of	SE¼		
Part of the	SW¼ of	SE¼	18	0107
Part of the	NE¼ of	entire section	19	0106, 0107
	NE¼ of	SE¼		
	S½ of	SE¼		
	SE¼ of	SW¼		
Part of the	W½ of	entire section	20	0106, 0107, 0206, 0207
	W½ of	SE¼		
	SE¼ of	SE¼		
Part of the	S½ of	SE¼	21	0206, 0207, 0306, 0307
	SW¼ of	SW¼		
Part of the	N½ of	NW¼	22	0306, 0307
	SE¼ of	NW¼		
	N½ of	NE¼		
	SW¼ of	entire section		
	SW¼ of	SE¼		
	SE¼ of	NE¼		
	NE¼ of	SE¼		

PART	SECTION	S.S.M. MAP NUMBERS
Part of the quarters of entire section	23	0306, 0307, 0406, 0407
Part of the quarters of entire section	24	0406, 0407, 0506, 0507
Part of the N½ of entire section SE¼ of entire section	25	0405, 0406, 0505, 0506
Part of the N½ of entire section S½ of SW¼ NW¼ of SW¼	26	0306, 0406
Part of the W½ of NW¼ SE¼ of NW¼ NE¼ of entire section SW¼ of entire section N½ of SE¼	27	0306
Part of the N½ of entire section SW¼ of entire section N½ of SE¼	28	0206, 0306
Part of the N½ of entire section SW¼ of SW¼ E½ of SW¼ SE¼ of entire section	29	0106, 0206
Part of the E½ of NW¼ N½ of NE¼ SW¼ of NE¼ E½ of SW¼ SE¼ of entire section	30	0106
Part of the N½ of entire section NE¼ of SW¼ N½ of SE¼	31	0105, 0106
Part of the NW¼ of NW¼ S½ of NW¼ E½ of entire section N½ of SW¼ SE¼ of SW¼	32	0105, 0106, 0205, 0206
Part of the N½ of entire section S½ of SW¼ NW¼ of SW¼ SW¼ of SW¼	33	0205, 0206, 0305, 0306
Part of the NW¼ of entire section NE¼ of entire section N½ of SW¼ N½ of SE¼ SE¼ of SE¼	34	0305, 0306
Part of the NE¼ of NW¼ NE¼ of entire section S½ of SE¼ NE¼ of SE¼ SW¼ of entire section	35	0305, 0306, 0405, 0406
Part of all quarters of entire section	36	0405, 0406, 0505, 0506

O. Reg. 683/81, Sched. 1.

Schedule 2

In the City of Sault Ste. Marie, in the District of Algoma and being composed of those parts of the following Sections, Park Lots, Original Townplot Lots, Stewart Survey and River Ranges and as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Sudbury as SSM-2-1 and listed as follows:

1. In the former Township of Korah and being composed of all or part of the following sections:

PART	SECTION	S.S.M. MAP NUMBERS
Part of all quarters of entire section	1	0809, 0810, 0909, 0910
Part of the N½ of entire section SW¼ of entire section SW¼ of SE¼	2	0709, 0710, 0809, 0810
Part of all quarters of entire section	3	0709, 0710
Part of the W½ of NW¼ NE¼ of entire section E½ of SE¼ NW¼ of SE¼ W½ of SW¼	4	0609, 0610, 0709, 0710
Part of the N½ of entire section S½ of SW¼ NW¼ of SW¼ E½ of SE¼ NW¼ of SE¼	5	0509, 0510, 0609, 0610
Part of the S½ of NW¼ NE¼ of NW¼ NE½ of entire section S½ of entire section	6	0509, 0510
Part of the N½ of entire section S½ of SW¼ NW¼ of SW¼ E½ of SE¼	7	0508, 0509
Part of the NE¼ of NW¼ SW¼ of NW¼ NE¼ of entire section S½ of entire section	8	0508, 0509, 0608, 0609
Part of the NW¼ of entire section SE¼ of N¼ S½ of entire section	9	0608, 0609, 0708, 0709
Part of the N½ of entire section S½ of SW¼ NW¼ of SW¼ SE¼ of entire section	10	0708, 0709
Part of all quarters of entire section	11	0708, 0709, 0808, 0809
Part of all quarters of entire section	12	0808, 0809, 0908, 0909
Part of the N½ of NW¼ NW¼ of NE¼ SW¼ of entire section	13	0808, 0908
Part of the N½ of entire section NE¼ of SW¼ SE¼of entire section	14	0708, 0808
Part of the N½ of entire section NW¼ of SE¼ SW¼ of entire section	15	0707, 0708
Part of the N½ of entire section S½ of SW¼ S½ of SE¼ NW½ of SE¼	16	0607, 0608, 0707, 0708

PART	SECTION	S.S.M. MAP NUMBERS
Part of the N½ of NW¼ SE¼ of NW¼ NE¼ of entire section SW¼ of SW¼ NE¼ of SW¼ SE¼ of entire section	17	0507, 0508, 0607, 0608
Part of the NW¼ of entire section S½ of NE¼ NW¼ of NE¼ S½ of entire section	18	0507, 0508
Part of all quarters of entire section	19	0506, 0507
Part of the S½ of NW¼ NW¼ of NW¼ S½ of NE¼ NE¼ of NE¼ W½ of SW¼ NW¼ of SE¼	20	0506, 0507,
Part of the W½ of NW¼ NE¼ of entire section SW¼ of entire section NE¼ of SE¼	21	0606, 0607, 0706, 0707
Part of the W½ of NW¼ SE¼ of NW¼ SW¼ of NE¼ S½ of entire section	22	0707
Part of the NE¼ of NW¼ S½ of NE¼ NW¼ of NE¼ S½ of entire section	23	0707, 0807
Part of the NW¼ of entire section SW¼ of entire section S½ of SE¼	24	0807, 0808, 0907, 0908
Part of the NW¼ of entire section N½ of NE¼ SW¼ of NE¼ NE¼ of SW¼	25	0806, 0807, 0906, 0907
Part of the N½ of NW¼ SE¼ of NW¼ E½ of NE¼ SW¼ of NE¼ W½ of SW¼ NE½ of SW¼ E½ of SE¼ NW¼ of SE¼	26	0706, 0707, 0806, 0807
Part of the N½ of entire section N½ of SW¼ SE¼ of SW¼	27	0706, 0707
Part of the N½ of NW¼ SE¼ of NW¼ E½ of SW¼ SW¼ of SW¼ E½ of entire section	28	0606, 0607, 0706, 0707
Part of the W½ of NW¼ S½ of NE¼ E½ of SW¼ SW¼ of SW¼ SE¼ of entire section	29	0506, 0507, 0606, 0607

PART	SECTION	S.S.M. MAP NUMBERS
Part of the N½ of NW¼ SE¼ of NW¼ E½ of entire section E½ of SW¼ SW¼ of SW¼	30	0506
Part of the NW¼ of entire section W½ of NE¼ SE¼ of NE¼ SW¼ of entire section N½ of SE¼	31	0505, 0506
Part of the S½ of NW¼ NE¼ of entire section N½ of SW¼ SE¼ of SW¼ S½ of SE¼ NW¼ of SE¼	32	0505, 0506, 0605, 0606
Part of the NW¼ of entire section E½ of NE¼ SW¼ of NW¼ W½ of SE¼ SW¼ of entire section	33	0605, 0606, 0705, 0706
Part of the S½ of NW¼ NE¼ of NW¼ NE¼ of NW¼ NE¼ of entire section SE¼ of entire section	34	0705, 0706
Part of the W½ of NW¼ SE¼ of NW¼ E½ of NE¼ S½ of SW¼ NE¼ of SW¼ N½ of SE¼ SW¼ of SE¼	35	0705, 0706, 0805, 0806
Part of the W½ of NW¼ NW¼ of SW¼	36	0805, 0806

2. In the former Township of Tarentorus and being composed of all or part of the following sections:

PART	SECTION	S.S.M. MAP NUMBERS
Part of the N½ of NW¼ SW¼ of NW¼	1	1210
Part of all quarters of entire section	2	1109, 1110, 1209, 1210
Part of the NW¼ of entire section E½ of NE¼ SW¼ of entire section W½ of SE¼ NE¼ of SE¼	3	1010, 1110
Part of the W½ of entire section N½ of NE¼ SW¼ of NE¼ NW¼ of SE¼ SE¼ of SE¼	4	1009, 1010, 1110
Part of the N½ of NW¼ NE¼ of entire section S½ of entire section	5	0909, 0910 1009, 1010
Part of all quarters of entire section	6	0909, 0910

PART			SECTION	S.S.M. MAP NUMBERS
Part of the	N½ of	entire section	7	0909
	S½ of	SE¼		
	NE¼ of	SE¼		
Part of the	N½ of	entire section	8	0908, 0909,
	SW¼ of	entire section		1008, 1009
	N½ of	SE¼		
Part of the	NW¼ of	entire section	9	1009, 1109
	NE¼ of	NE¼		
	SE¼ of	SE¼		
	NW¼ of	NW¼		
Part of the	S½ of	NW¼	10	1109, 1110
	NW¼ of	NW¼		
	NE¼ of	entire section		
	SW¼ of	entire section		
	E½ of	SE¼		
	SW¼ of	SE¼		
Part of the	N½ of	entire section	11	1109, 1209
	N½ of	SW¼		
	SW¼ of	SW¼		
	NW¼ of	SE¼		
Part of the	N½ of	NW¼	14	1108, 1109
Part of the	N½ of	entire section	15	1108, 1109
	SW¼ of	entire section		
	W½ of	SE¼		
Part of the	NW¼ of	entire section	16	1008, 1009,
	E½ of	NE¼		1108, 1109
	SW¼ of	NE¼		
	S½ of	entire section		
Part of the	E½ of	entire section	17	0908, 0909,
	SW¼ of	NW¼		1008, 1009
	SW¼ of	entire section		
	E½ of	NW¼		
Part of the	SE¼ of	NE¼	18	0908, 0909
	N½ of	NE¼		
	SE¼ of	NE¼		
	SW¼ of	entire section		
	E½ of	SE¼		
Part of all quarters of entire section			19	0907, 0908
Part of all quarters of entire section			20	0907, 0908, 1007, 1008
Part of all quarters of entire section			21	1007, 1008, 1107, 1108
Part of the	NW¼ of	entire section	22	1107, 1108
	SW¼ of	NE¼		
	SW¼ of	entire section		
	W½ of	SE¼		
Part of the	NE¼ of	NW¼	27	1107
	NW¼ of	NE¼		
Part of the	W½ of	NW¼	28	1006, 1007,
	W½ of	SW¼		1107
Part of the	NE¼ of	NW¼	29	0906, 0907,
	S½ of	NE¼		1006, 1007
	NW¼ of	NE¼		
	SE¼ of	entire section		

PART	SECTION	S.S.M. MAP NUMBERS
Part of the N½ of NW¼ SE¼ of NW¼ NE¼ of entire section E½ of SW¼	30	0906, 0907
Part of the S½ of NW¼ SW¼ of entire section	31	0905, 0906
Part of the N½ of NE¼ SE¼ of NE¼	32	0905, 0906, 1005, 1006
Part of the W½ of NW¼	33	1005, 1006

3. In the River Ranges of the former Township of Rankin and being composed of all or part of the following lots:

LOT	RIVER RANGE	S.S.M. MAP NUMBERS
Part of 1 - 22	First	1103, 1104
Block A	First	1104, 1103
Part of 10 - 15	Second	1206, 1207

4. In the Park Lots of the Concessions of the former St. Mary's Township and being composed of all or part of the following lots and concessions:

LOT	CONCESSION	S.S.M. MAP NUMBERS
Part of 1 - 31 (South of Queen St.)	I	0904, 0905
Part of 2	II, III	1004, 1005
3	II, III	1004, 1005
4	II	1004
5	II, III	1004, 1005
6	II, III	1004, 1005
7	II, III	1004, 1005
8	II	0904, 1004
9	II	0904
10	II, III	0904, 0905
11	II, III	0904, 0905
12	III	0904, 0905
Part of 1, 2, 3, 4	IV	0905, 0906, 1005, 1006
5, 6	IV	0905, 0906

5. In the Original Town Plot Lots in the former Town of St. Mary's and being composed of all or part of the following lots:

DESCRIPTION	LOT	S.S.M. MAP NUMBERS
South of Algoma Central Right-of-Way	1 - 24 West of Huron St.	0804, 0805, 0904, 0905
South of Queen Street	25 - 27 West of Gore St.	0804, 0805, 0904, 0905
South of Albert Street	28 West of Gore St.	0804, 0805, 0904, 0905
South of Cathcart Street	29 - 33 West of Gore St.	0804, 0805, 0904, 0905
South of Albert Street	34 - 39 West of Gore St.	0805, 0905
South of Queen Street	36 - 41 East of Gore St.	0904, 0905

Description	Lot	S.S.M. Map Numbers
South of Bay Street	1 - 35 East of Gore St.	0904

6. In the Stewart Survey in rear of the former Village of Sault Ste. Marie attached to the former Township of Korah and being composed of all or part of the following blocks:

Block	Section	S.S.M. Map Numbers
Part of 2 - 12 14 - 24		0805, 0806, 0905, 0906

7. In the former Township of Awenge and being composed of all or part of the following sections:

Part	Section	S.S.M. Map Numbers
Part of the SW¼ of NW¼	1	0804
Part of the S½ of NW¼ NW¼ of NW¼ S½ of NE¼ NE¼ of SW¼	2	0704, 0705, 0804, 0805
Part of the S½ of NE¼ NE¼ of NE¼ NW¼ of SE¼ E½ of SW¼	3	0704, 0705
Part of the NW¼ of NW¼ S½ of NW¼ N½ of SW¼ S½ of SE¼ NW¼ of SE¼	4	0604, 0605, 0704, 0705
Part of the E½ of NW¼ S½ of NE¼ NW¼ of NE¼ S½ of SW¼ NE¼ of SW¼ SE¼ of entire section	5	0504, 0505, 0604, 0605
Part of the N½ of NW¼ SW¼ of NW¼ S½ of NE¼ NW¼ of NE¼ SE¼ of entire section E of SW¼ NW¼ of SW¼	6	0504, 0505
Part of the NE¼ of entire section S½ of NW¼	7	0503, 0504
Part of the NW¼ of entire section	8	0504, 0604
Part of the NE¼ of entire section	9	0604, 0704
Part of the N½ of NW¼ SW¼ of NW¼	10	0704

8. In the former Township of Parke and being composed of all or part of the following sections:

Part	Section	S.S.M. Map Numbers
Part of the N½ of entire section SE¼ of entire section NW¼ of SW¼	1	0404, 0405, 0504, 0505
Part of the NE¼ of NW¼ N½ of NE¼	2	0304, 0305, 0404, 0405

PART	SECTION	S.S.M. MAP NUMBERS
Part of the S½ of SW¼ NW¼ of SW¼ SW¼ of SE¼	3	0304, 0305
Part of all quarters of entire section	4	0204, 0205, 0304, 0305
Part of the E½ of NE¼ NW¼ of NE¼ NE¼ of SE¼	5	0204, 0205
Part of the N½ of NE¼ SE¼ of NE¼ E½ of SE¼	9	0303, 0304
Part of the NW¼ of entire section S½ of NE¼ NW¼ of NE¼ S½ of entire section	10	0303, 0304
Part of the S½ of SW¼ NW¼ of SW¼ S½ of SE¼ NE¼ of SE¼ NE¼ of entire section	11	0303, 0304 0403, 0404
Part of the SE¼ of NW¼ W½ of NE¼ N½ of SE¼ SW¼ of SE¼ S½ of SW¼	12	0403, 0404, 0503, 0504
Part of the NW¼ of entire section SW¼ of NE¼ N½ of SW¼ N½ of SE¼ SE¼ of SE¼	13	0402, 0403, 0502, 0503
Part of the NW¼ of NW¼ N½ of NE¼	14	0302, 0303, 0402, 0403
Part of the N½ of N½ S½ of SW¼ NW¼ of SW¼	15	0302, 0303
Part of the E½ of NE¼ E½ of SE¼	16	0302, 0303
Part of the NW¼ of entire section S½ of NE¼ NW¼ of NE¼ N½ of SE¼	22	0302
Part of the NW¼ of entire section S½ of entire section	23	0302, 0401, 0402
Part of the SE¼ of NW¼ E½ of NE¼ SW¼ of NE¼ S½ of entire section	24	0401, 0402, 0502

9. In the former Township of St. Mary's and being composed of all or part of the following sections:

PART	SECTION	S.S.M. MAP NUMBERS
Part of the NE¼ of NE¼	6	0904, 0905
Part of the E½	9	1003, 1004, 1103, 1104

PART	SECTION	S.S.M. MAP NUMBERS
Part of the W½	10	1003, 1004, 1103, 1104

O. Reg. 683/81, Sched. 2.

REGULATION 142

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—AUSABLE-BAYFIELD

1. In this Regulation,

"Authority" means the Ausable-Bayfield Conservation Authority;

"building or structure" means a building or structure of any kind;

"construct" means to do anything in the erection, installation, extension, material alteration or repair of a building or structure and includes the installation of a building unit fabricated or moved from elsewhere, and "construction" has a corresponding meaning;

"drainage area" means, for a point, the area which contributes runoff to that point;

"fill" means earth, sand, gravel, building materials, storage materials, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedule;

"mm" means millimetres;

"regional storm" means,

(a) a storm producing in a forty-eight hour period in a drainage area of,

(i) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(ii) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2, or

(b) a rainfall, snowmelt or combination of rainfall and snowmelt producing at any point in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of 1 percent during any one year:

TABLE 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour

TABLE 1—*Continued*

53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

TABLE 2

COLUMN 1 Drainage Area (in square kilometres)	COLUMN 2 Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1,000 both inclusive	80.8
1,001 to 1,200 both inclusive	79.3
1,201 to 1,500 both inclusive	76.6
1,501 to 1,700 both inclusive	74.4
1,701 to 2,000 both inclusive	73.3
2,001 to 2,200 both inclusive	71.7
2,201 to 2,500 both inclusive	70.2
2,501 to 2,700 both inclusive	69.0
2,701 to 4,500 both inclusive	64.4
4,501 to 6,000 both inclusive	61.4
6,001 to 7,000 both inclusive	58.9
7,001 to 8,000 both inclusive	57.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 544/84, s. 1.

2. The areas described in the Schedule are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 544/84, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill, or permit fill to be placed or dumped, permanently or temporarily, in the areas described in the Schedule; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 544/84, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure, or the placing or dumping of fill, or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse, to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping of fill and the method of construction or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 544/84, s. 4.

5. No person shall commence to construct any building or structure, or dump or place fill, or straighten, change, divert or interfere with the existing channel of a river, lake, creek, stream or watercourse, in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 544/84, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details and the method of construction;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken and the method to be used to carry out such straightening, change, diversion or interference;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 544/84, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for permission are not carried out. O. Reg. 544/84, s. 7.

8. Members of the staff of the Authority are appointed as officers to enforce this Regulation. O. Reg. 544/84, s. 8.

Schedule

That part of the watershed of the Ausable River, the Bayfield River, Parkhill Creek and Mud Creek and their tributaries and numerous small tributaries to Lake Huron extending from the northern boundary of the Authority at the Lake Huron Shore to the southernmost boundary of the Township of Stephen on the Lake Huron Shore, located within the counties of Perth, Huron, Middlesex and Lambton in the Province of Ontario, more particularly described as follows:

In the Township of Goderich in the County of Huron:

Concession	Lot
I.	Parts of 31 to 40, both inclusive
II.	Parts of 30 to 40, both inclusive
III.	Parts of 30, 33, 34, 36, 37 and 40, all of 31, 32, 35, 38 and 39
IV.	Parts of 30, 31, 33, 34, 36 to 40, all inclusive
V.	Parts of 28 to 30, 32 to 34, 36 to 40, all inclusive
VI.	Parts of 28 to 37, both inclusive
VII.	Parts of 29 to 38, both inclusive
VIII.	Parts of 31 to 35, both inclusive
IX.	Part of 41
X.	Parts of 32 to 34, both inclusive

CONCESSION	LOT
XI.	Parts of 32, 33 and 38
XII.	Parts of 32 to 35, 38, all inclusive
XIII.	Parts of 31 to 37, both inclusive
XIV.	Parts of 36 and 37
XV.	Parts of 33 to 36, both inclusive
XVI.	Parts of 34 to 36, both inclusive
Huron Road	Parts of 2 and 3
Bayfield	Parts of 2 to 7, 10 to 28, 30 to 49, 52, 55 to 58, 61, 62, 64 to 68, 71, 74 to 79, all inclusive, all of 8, 9, 29, 72 and 73

In the Township of Hay in the County of Huron:

CONCESSION	LOT
I.	Parts of 2, 3, 5, 6, 9 to 13, 16 to 19, 23, 29 and 30, all inclusive
II.	Parts of 3, 5, 6, 10, 11, 17 to 23, all inclusive
III.	Parts of 3, 6 to 10, 19 to 24, 26 to 28, all inclusive
IV.	Parts of 3 to 10, 14 to 16, 18 to 25, 27 and 28, all inclusive
V.	All of 3 to 9, both inclusive, parts of 10 to 28, both inclusive
VI.	All of 3 to 14, both inclusive, parts of 15 to 19, both inclusive
VII.	All of 3 to 14, both inclusive, parts of 15 to 28, both inclusive
VIII.	Parts of 3 to 10, 13 to 20, all inclusive, all of 11, 12, 21 to 28, all inclusive
IX.	Parts of 3 to 11, 19 to 28, all inclusive
X.	Parts of 3, 4, 6 to 11, 13 to 28, all inclusive
XI.	Parts of 3, 4, 7 to 11, 13 to 19, all inclusive
XII.	Parts of 3, 4, 6 to 20, all inclusive
XIII.	Parts of 3 to 10, 13 to 19, 21, 22, 24, 25, 27 and 28, all inclusive
XIV.	Parts of 3, 4, 6, 7, 9, 10, 15 to 18, 20, 21, 24 to 28, all inclusive
XV.	Parts of 3 to 22, 24 to 28, all inclusive
XVI.	Parts of 3 to 9, both inclusive
XVII.	Parts of 3 to 8, both inclusive
Lake Road Concession East	Parts of 3, 4, 6 to 8, 10 to 14, 16 to 20, 22 to 27 and 30, all inclusive
Lake Road Concession West	Parts of 1 to 12, 15 to 20 and 22 to 30, all inclusive
North Boundary Concession Hay	Parts of 7, 8, 13, 14, 16, 18, 19, 22 to 24 and 26 to 30, all inclusive, all of 15
South Boundary Concession Hay	Parts of 2 to 6, 13, 17, 18, 22, 23 and 26 to 32 all inclusive, all of 7 to 12, both inclusive

In the Township of Hullett in the County of Huron:

CONCESSION	LOT
I.	Parts of 3 to 10 and 12 to 20, all inclusive
II.	Parts of 9, 10, 12 to 15, 18 and 19, all inclusive

CONCESSION	LOT
III.	Parts of 14 to 17, both inclusive

In the Township of McKillop in the County of Huron:

CONCESSION	LOT
I.	Parts of 1 and 16 to 22, all inclusive
II.	Parts of 16 and 18 to 23, all inclusive

In the Township of Stanley in the County of Huron:

CONCESSION	LOT
I.	Parts of 1, 11, 12, 14, 16 to 27 and 29 to 37, all inclusive
II.	Parts of 12 to 14, 16, 17, 19 to 27 and 29 to 34, all inclusive
III.	Parts of 3 to 8, 12, 13, 16 to 18, 20 to 24, 26 to 30, 32 and 33, all inclusive
IV.	Parts of 3 to 15, 20 to 26, 28, 29, 31 and 32, all inclusive
V.	Parts of 3 to 5, 11, 13 to 15 and 20 to 31, all inclusive
VI.	Parts of 14 and 16, all of 15
VII.	Parts of 6 to 17, both inclusive
VIII.	Parts of 3 to 13 and 15 to 17, all inclusive
IX.	Parts of 3 to 12, both inclusive
X.	Parts of 6 to 9 and 11 to 15, all inclusive
XI.	Parts of 3 to 7, 10, 11 and 14 to 22, all inclusive
XII.	Parts of 3 to 12, 15 to 18 and 20 to 23, all inclusive
XIII.	Parts of 7, 8 and 10 to 15, all inclusive
Lake Road West	Parts of 1 to 22, 24 and 25, all inclusive
Lake Road East	Parts of 1 to 4, 8 to 14, 18 and 23, all inclusive
Bayfield Road North	Parts of 1 to 3, 6 to 19, 22, 23 and 25, all inclusive
Bayfield Road South	Parts of 6 to 8, 13, 14, 17, 18 and 21 to 25, all inclusive
South Boundary Concession	Parts of 2 to 4, 6 to 8, 16 to 18 and 21 to 30, all inclusive, all of 14 and 15
Range A	All of 2 to 10, both inclusive, parts of 11 to 14, both inclusive
Range B	Parts of 2 to 4, 11 and 14, all inclusive, all of 5 to 10, both inclusive
Range C	Parts of 2, 5 and 9, all of 6 to 8, all inclusive
Range D	Parts of 6 to 9, both inclusive
Range F	Parts of 1 to 8, both inclusive
Range G	Parts of 7
Range H	Parts of 7
Range I	Parts of 2, 3, 7 and 8
Range K	Parts of 2 to 5 and 8, all inclusive
Range L	Parts of 4 and 5
Range M	Parts of 6 to 8, both inclusive

In the Township of Stephen in the County of Huron:

CONCESSION	LOT
I.	Parts of 5 to 20, both inclusive
II.	Parts of 3 and 14 to 23, all inclusive
III.	Parts of 3 to 5, 11, 12 and 17 to 23, all inclusive
IV.	Parts of 3 to 6, 9 to 12, 15 to 17 and 20 to 23, all inclusive
V.	Parts of 3 to 23, both inclusive
VI.	Parts of 18 to 21, both inclusive, all of 22 and 23
VII.	Parts of 4 to 7 and 21 to 23, all inclusive
VIII.	Parts of 3 to 7, 9, 10, 14 and 15, all inclusive
IX.	Parts of 4 to 6 and 9 to 23, all inclusive
X.	Parts of 3 to 23, both inclusive
XI.	Parts of 3, 4, 14, 15 and 18 to 20, all inclusive
XII.	Parts of 10, 11 and 14 to 22, all inclusive
XIII.	Parts of 3 to 12 and 14 to 21, all inclusive
XIV.	Parts of 5 to 15, 17, 18 and 21 to 23, all inclusive, all of 16
XV.	Parts of 3 to 15, 17, 18, 22 and 23, all inclusive
XVI.	Parts of 3 to 11, 13 to 19, 22 and 23, all inclusive
XVII.	Parts of 3 to 9 and 11 to 21, all inclusive
XVIII.	Parts of 3 to 6, 8 to 11, 19 to 21 and 23, all inclusive, all of 7 and 12 to 18, all inclusive
XIX.	Parts of 3 to 6, 9, 10 and 14 to 23, all inclusive
XX.	Parts of 3 to 7, 9, 10, 13, 15 and 16, all inclusive
XXI.	Parts of 3 to 9, 12 and 13, all inclusive
XXII.	Parts of 1, 5, 6, 10 to 13 and 15 to 17, all inclusive
Aux Sauble	Parts of 1 to 5, both inclusive, all of 6 to 19, both inclusive
Lake Road West	Parts of 2 to 6, both inclusive
Lake Road East	Parts of 1 to 7, both inclusive
A	Parts of 1 to 7, both inclusive
B	Parts of 1 and 3 to 7, all inclusive
North Boundary	Parts of 5 to 8, 13, 16 to 18, 22 to 26 and 30 to 38, all inclusive, all of 9 to 12, both inclusive
South Boundary	Parts of 3 to 10, 14, 15, 18 to 21, 24, 25 and 30 to 43, all inclusive

In the Township of Tuckersmith in the County of Huron:

CONCESSION (Huron Road Survey)	LOT
I.	Parts of 3 to 5, 8, 9, 23 to 25 and 27 to 41, all inclusive
II.	Parts of 5 to 11, 13 to 15 and 20 to 34, all inclusive
III.	Parts of 1 to 5, 8 to 18, and 20 to 31, all inclusive

CONCESSION (Huron Road Survey)	LOT
IV.	Parts of 1 to 8, 19 to 24, and 26, all inclusive
V.	Parts of 9, 12 to 14, 21 and 22, all inclusive
VI.	Parts of 2, 3 and 6 to 14, all inclusive
VII.	Parts of 3 to 7, 13 and 14, all inclusive
VIII.	Parts of 3 to 7 and 12 to 14, all inclusive
IX.	Parts of 1
X.	Parts of 1 and 2
XI.	Parts of 1, 2 and 6 to 10, all inclusive
XII.	Parts of 1, 2 and 6 to 9, all inclusive
XIII.	Parts of 1 to 7, both inclusive
XV.	Parts of 1 to 3, both inclusive

In the Township of Tuckersmith in the County of Huron:

CONCESSION (London Road Survey)	LOT
I.	Parts of 1, 3 to 5, 13 to 15, 23 to 26, 29 to 37, 41 to 44, 48, 49 and 51, all inclusive
II.	Parts of 4 to 8, 11 to 14, 21 to 26, 29 to 36 and 41 to 43, all inclusive
III.	Parts of 1 to 4, 10 to 13, 39 and 40, all inclusive
IV.	Parts of 26 to 32, both inclusive
V.	Parts of 24 to 28, both inclusive
VI.	Parts of 29 to 32, both inclusive

In the Township of Usborne in the County of Huron:

CONCESSION	LOT
I.	Parts of 2 to 4, 6 to 8, 11, 12, 22, 23, 25, 26 and 35, all inclusive
II.	Parts of 2 to 5, 7 to 12, 17, 18, 23, 24, 26, 34 and 35, all inclusive
III.	Parts of 15 to 18 and 35, all inclusive
IV.	Parts of 18, 22 to 29 and 35, all inclusive
V.	Parts of A, 1 to 10, 17, 18, 22, 23, 26, 27 and 29, all inclusive
VI.	Parts of 1 to 5, 7 to 12, 26 and 28 to 30, all inclusive
VII.	Parts of E, A, 1, 2, 4 to 6, 8 to 14 and 23 to 28, all inclusive
VIII.	Parts of A, B, C, D, E, 6, 7, 9, 10, 14 to 16 and 23 to 27, all inclusive
IX.	Parts of B, A, 1, 2, 6, 10, 11, 14 and 15, all inclusive
X.	Parts of C, B, A, 1, 2 and 14 to 18, all inclusive
North East Boundary	Parts of 13 to 16 and 19 to 25, all inclusive
North Thames Road	Parts of 6 to 8 and 11 to 14, all inclusive
South Thames Road	Parts of 1 to 8, both inclusive
South East Boundary	Parts of 17 and 18

CONCESSION	LOT
South West Boundary	Parts of 7, 10, 11 and 14

In the Town of Exeter in the County of Huron:

CONCESSION	LOT
(Former Township of Osborne, Concession I)	Parts of Former 18 and 19
(Former Township of Stephen, Concession I)	Parts of Former 24 and 25
(Former Township of Hay, Concession I)	Parts of Former 1

In the Town of Clinton in the County of Huron:

CONCESSION	LOT
(Former Township of Tuckersmith, Huron Road Survey, Concession I)	Parts of Former 42
(Former Township of Goderich, Bayfield Concession)	Parts of Former 50
(Former Township of Goderich, Huron Road Concession)	Parts of Former 2 and 3
(Former Township of Hullett, Concession I)	Parts of Former 23

In the Village of Hensall in the County of Huron:

CONCESSION	LOT
(Former Township of Hay, Concession I)	Parts of Former 22 and 28

In the Town of Seaforth in the County of Huron:

CONCESSION	LOT
(Former Township of Tuckersmith, Huron Road Survey, Concession I)	Parts of Former 9 to 12, both inclusive
(Former Township of McKillop, Concession I)	Parts of Former 24 and 25

In the Village of Zurich in the County of Huron:

CONCESSION	LOT
(Former Township of Hay, Concession X)	Parts of Former 20 and 21

The Village of Bayfield in the County of Huron:

CONCESSION	REGISTERED PLAN	LOT
	153	Parts of 4 and 5
	147	Parts of 551, 549, 274, 275, 22 to 30, 639 to 641, 613 and part of Mill property (being part of Bayfield Estate Survey) all inclusive, all of 548 and 619 to 638, all inclusive
(Former Township of Goderich, Bayfield Concession)		Parts of Former 1 to 4, both inclusive
(Former Township of Stanley, Range M)		Parts of Former 4 and 5

In the Township of Bosanquet in the County of Lambton:

CONCESSION	LOT
South Boundary	Parts of 1 to 5, both inclusive
I. (or Broken Front)	Parts of A and 1 to 27, all inclusive, all of 28

CONCESSION	LOT
II.	Parts of 2 to 8, 13 to 19 and 22 to 27, all inclusive, all of 28 and 29
III.	Parts of 2, 3, 5 to 8, 12 to 15, 17, 18 and 22 to 26, all inclusive, all of 28 and 29
IV.	Parts of 6, 7, 9 to 14, 17 to 22 and 24 to 27, all inclusive, all of 28 and 29
V.	Parts of 6 to 8, 13, 14, 18 to 23 and 27 to 30, all inclusive
VI.	Parts of 8 to 12 and 18 to 28, all inclusive
VII.	Parts of 9 to 12 and 18 to 26, all inclusive
VIII.	Parts of 12 to 20 and 22 to 24, all inclusive
IX.	Parts of 16 to 22, both inclusive
X.	Parts of 22
Lake Range (or Road) West	Parts of 3 to 10 and 32 to 41, all inclusive
Lake Range (or Road) East	Parts of 3 to 22 and 32 to 51, all inclusive
A	All of 1 to 23 and 25 to 31, all inclusive
B	All of 5 to 24, both inclusive
C	All of 1 to 14 and 21 to 29, all inclusive, Parts of 15 to 20, both inclusive
Surrendered Lands (former Stoney Point Indian Reserve)	Parts of D8

In the Township of Warwick in the County of Lambton:

CONCESSION	LOT
IV. (N. E. R.)	Parts of 23 to 25, both inclusive
V. (N. E. R.)	Parts of 21 to 27, 29 and 30, all inclusive
VI. (N. E. R.)	Parts of 21 to 26, both inclusive

In the Village of Arkona in the County of Lambton:

CONCESSION	LOT
(Former Township of Bosanquet, South Boundary Concession)	Parts of Former 4 to 8, both inclusive
(Former Township of Warwick, Concession VI)	Parts of Former 24

In the Village of Grand Bend in the County of Lambton:

CONCESSION	LOT
(Former Township of Stephen, Lake Road Concession West)	Parts of Former 1
(Former Township of Stephen, Lake Road Concession East)	Parts of Former 1
(Former Township of Stephen, Ausable Concession)	Parts of Former 1
(Former Township of Bosanquet, Lake Range West)	Parts of Former 1 and 2
(Former Township of Bosanquet, Lake Range East)	Parts of Former 1 and 2

In the Village of Thedford in the County of Lambton:

CONCESSION	LOT
(Former Township of Bosanquet, Concession II)	Parts of Former 19 to 21, both inclusive

CONCESSION	LOT
(Former Township of Bosanquet, Concession III)	Parts of Former 19 to 21, both inclusive
(Former Township of Bosanquet, Concession IV)	Parts of Former 21

In the Township of Adelaide in the County of Middlesex:

CONCESSION	LOT
I. (N. E. R.)	Parts of 4 to 17 and 21 to 29, all inclusive
II. (N. E. R.)	Parts of 2 to 5, 7 to 9, 12, 13, 16 to 24 and 26 to 28, all inclusive
III. (N. E. R.)	Parts of 3 to 6, 8 to 15, 17 to 21 and 24 to 26, all inclusive
IV. (N. E. R.)	Parts of 3, 4, 6, 7, 9 to 12 and 14 to 17, all inclusive
V. (N. E. R.)	Parts of 3 to 9, both inclusive
I. (S. E. R.)	Parts of 5 to 17, both inclusive
II. (S. E. R.)	Parts of 7, 8 and 10 to 15, all inclusive

In the Township of Biddulph in the County of Middlesex:

CONCESSION	LOT
I.	Parts of 3 to 7, 9, 10, 14 to 17, 23, 24 and 29 to 40, all inclusive
II.	Parts of 2 to 4, 6, 7, 9, 10, 13 to 15, 28 to 30 and 32 to 39, all inclusive
III.	Parts of 9 to 14, 18 to 25, 37 and 38, all inclusive
IV.	Parts of 5 to 21, 24, 25, 27, all inclusive
V.	Parts of 7, 8, 11 to 13, 16 to 22, 24 and 25, all inclusive
VI.	Parts of 14 to 17, 21 and 22, all inclusive
VII.	Parts of 9, 10 and 14 to 20, all inclusive
VIII.	Parts of 10 and 14 to 21, all inclusive
IX.	Parts of 17, 19 and 20
London Proof Line	Parts of 1 to 4 and 7, all inclusive
North Boundary	Parts of 6, 7 and 9 to 15, all inclusive

In the Township of London in the County of Middlesex:

CONCESSION	LOT
XII.	Parts of 32
XIII.	Parts of 29 to 32, both inclusive
XIV.	Parts of 26, 27, 30 and 31
XV.	Parts of 24 to 26 and 28 to 32, all inclusive
XVI.	Parts of 21 to 29, both inclusive

In the Township of Lobo in the County of Middlesex:

CONCESSION	LOT
IX.	Parts of 17 to 19, both inclusive
X.	Parts of 5 to 7, 9 to 12 and 17 to 22, all inclusive
XI.	Parts of 1 to 6, 9 to 14 and 18 to 20, all inclusive

CONCESSION	LOT
XII.	Parts of 1 to 4, 6 to 16 and 18 to 21, all inclusive
XIII.	Parts of 1 to 8, 10 to 12, 15 to 20, 24 and 25, all inclusive

In the Township of McGillivray in the County of Middlesex:

CONCESSION	LOT
I.	Parts of 1 to 5, 9 to 12, 15 to 19, 21 and 24 to 26, all inclusive
II.	Parts of 4 to 7, 11, 12, 17 to 25 and 31 to 33, all inclusive
III.	Parts of 6 to 12, 14, 15, 17 to 20, 22 to 25 and 27 to 31, all inclusive
IV.	Parts of 8 to 12, 14 to 20, 22 to 27, 29 to 31 and 34 to 36, all inclusive
V. (East)	Parts of 1 to 8, 11, 12, 14 to 19, 22 to 27, 32 and 33, all inclusive
V. (West)	Parts of 1 to 30, both inclusive, all of 31
VI. (East)	Parts of 6, 7, 9 to 13, 15, 16, 22 to 27 and 30 to 33, all inclusive, all of 8
VI. (West)	Parts of 7 to 22, both inclusive
VII. (East)	Parts of 1 to 4, 7, 9, 10, 13 to 16, 25, 26 and 29 to 31, all inclusive, all of 8 and 11
VII. (West)	Parts of 1 to 13 and 19 to 22, all inclusive
VIII. (East)	Parts of 1 to 4, 8 to 10, 12 to 20 and 24 to 31, all inclusive, all of 11
VIII. (West)	Parts of 1 to 22, both inclusive
IX.	Parts of 3 to 12 and 14 to 23, all inclusive
X.	Parts of 3 to 22, both inclusive
XI.	Parts of 20 to 22, both inclusive
XII.	Parts of 3 to 6, both inclusive
XIII.	Parts of 3 to 5, 9 to 14 and 17 to 19, all inclusive
XIV.	Parts of 3 and 13 to 18, all inclusive
XV.	Parts of 3 to 11 and 13 to 17, all inclusive
XVI.	Parts of 7 to 16, both inclusive
XVIII.	Parts of 3
XIX.	Parts of 3 to 9 and 12 to 14, all inclusive
XX.	Parts of 7 to 9, both inclusive
XXI.	Parts of 3 to 10, both inclusive
XXII.	Parts of 3 to 10, both inclusive
XXIII.	Parts of 3 to 9, both inclusive
XXIV.	Parts of 3 to 9, both inclusive
XXV.	Parts of 3 to 5, both inclusive
XXVI.	Parts of 3 and 4
XXVII.	Parts of 3 to 6, both inclusive
XXVIII.	All of 1 and 4 to 10, all inclusive, Parts of 2 and 3
Aux Sables	All of 1 and 4 to 22, all inclusive, Parts of 2 and 3

CONCESSION	LOT
North Boundary	Parts of 9, 10, 14 to 16, 25 to 35 and 37 to 45, all inclusive

In the Township of East Williams in the County of Middlesex:

CONCESSION	LOT
East of Centre Road (E. C. R.)	Parts of 1 to 5, 7, 9, 11 to 21, 23 and 24, all inclusive
I.	Parts of 1 to 4, 6 to 12, 14 to 16, 18 to 25 and 28 to 31, all inclusive
II.	Parts of 1 to 4, 6 to 13 and 16 to 31, all inclusive
III.	Parts of 2 to 11 and 16 to 20, all inclusive
IV.	Parts of 2 to 5, 7 to 11 and 17 to 19, both inclusive
V.	Parts of 1 to 6 and 8 to 18, all inclusive
VI.	Parts of 1 to 16, both inclusive
VII.	Parts of 1 to 6, 10, 11 and 17 to 19, all inclusive
VIII.	Parts of 3 and 5 to 11, all inclusive
IX.	Parts of 3 to 11, both inclusive
X.	Parts of 3 to 10, both inclusive
XI.	Parts of 3 to 5, 9 and 10, all inclusive
XII.	Parts of 3 to 7, both inclusive
XIII.	Parts of 3 and 7 to 10, all inclusive
XIV.	Parts of 3, 7, 10 and 11
XV.	Parts of 3 to 7, 10 and 11, all inclusive
XVI.	Parts of 3 to 7, 10 and 11, all inclusive
XVII.	Parts of 3 to 15, 18 to 21 and 23 to 31, all inclusive, all of 22
XVIII.	Parts of 3 to 15, 17, 18, 21 to 25 and 28 to 32, all inclusive
XIX.	Parts of 3 to 8, 13, 14, 21 to 24 and 30 to 33, all inclusive
XX.	Parts of 1 to 3, 5 to 7, 20 to 24 and 31 to 35, all inclusive, all of 4

In the Township of West Williams in the County of Middlesex:

CONCESSION	LOT
West of Centre Road	Parts of 1 to 3 and 14 to 24, all inclusive
VII.	Parts of 1 to 12, 16 to 18 and 20 to 24, all inclusive
VIII.	Parts of 3 to 25, both inclusive
IX.	Parts of 3 to 20, both inclusive
X.	Parts of 4 to 19, both inclusive
XI.	Parts of 3, 4, 10, 13, 14 and 17 to 21, all inclusive
XII.	Parts of 7 to 9 and 14 to 17, all inclusive
XIII.	Parts of 4 to 8 and 17, all inclusive
XIV.	Parts of 3 to 14, 17 and 18, all inclusive
XV.	Parts of 3 to 16, both inclusive

CONCESSION	LOT
XVI.	Parts of 3 to 18, both inclusive
XVII.	Parts of 3 to 13, 16 to 19, 21 and 22, all inclusive
XVIII.	Parts of 3 to 5 and 7 to 21, all inclusive
XIX.	Parts of 3 to 12, 14 to 20 and 24, all inclusive
XX.	Parts of 1 to 9, 11 to 14, 16 to 20 and 22 to 24, all inclusive
XXI.	Parts of 1 to 22, both inclusive
B. F.	Parts of 1 to 20 and 22 to 26, all inclusive, all of 21

In the Village of Ailsa Craig in the County of Middlesex:

CONCESSION	LOT
(Former Township of McGillivray, Concession V, E.C.R.)	Parts of Former 24 to 26, both inclusive
(Former Township of East Williams, Concession XX, E.C.R.)	Parts of Former 24 and 25

In the Town of Parkhill in the County of Middlesex:

CONCESSION	LOT
(Former Township of West Williams, Concession XIX)	Parts of Former 4 to 6, both inclusive
(Former Township of West Williams, Concession XX)	Parts of Former 4 to 7, both inclusive

In the Village of Lucan in the County of Middlesex:

CONCESSION	LOT
(Former Township of Biddulph, London Proof Line Concession)	Parts of Former 4 to 6, both inclusive

In the Township of Blanshard in the County of Perth:

CONCESSION	LOT
West Boundary	Parts of 18, 19 and 23
IX.	Parts of 3
X.	Parts of 3
XII.	Parts of 3 and 4

In the Township of Hibbert in the County of Perth:

CONCESSION	LOT
I.	Parts of 1 to 3, 5 to 9, 15, 16, 21 to 24 and 26 to 30, all inclusive
II.	Parts of 2 to 6, 9 to 13, 15, 16 and 18 to 30, all inclusive
III.	Parts of 7 to 11, 13 to 20, 22, 26 to 28 and 30, all inclusive
IV.	Parts of 4, 5, 7 to 15, 21 to 23 and 26 to 30, all inclusive
V.	Parts of 4 to 17 and 22 to 26, all inclusive
VI.	Parts of 6, 13 to 20 and 23 to 25, all inclusive
VII.	Parts of 12 and 17 to 30, all inclusive
VIII.	Parts of 11 to 16, 20 to 24 and 28 to 30, all inclusive

CONCESSION	LOT
IX.	Parts of 11 to 13, 16, 21, 22 and 30, all inclusive
X.	Parts of 12, 13, 16, 17, 21, 22 and 28 to 30, all inclusive
XI.	Parts of 11 to 13, 17 to 22 and 27 to 30, all inclusive
XII.	Parts of 8 to 13, 15 to 20 and 27 to 30, all inclusive
XIII.	Parts of 8, 9 and 12 to 25, all inclusive
XIV.	Parts of 11, 12 and 17 to 25, all inclusive

In the Township of Logan in the County of Perth:

CONCESSION	LOT
I.	Parts of 22 to 26 and 28 to 35, all inclusive
II.	Parts of 23, 28, 34 and 35
III.	Parts of 26 to 34, both inclusive
IV.	Parts of 26 to 33, both inclusive
V.	Parts of 27 to 33, both inclusive
VI.	Parts of 29 and 30

As shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources in London, Ontario as numbers AB1-1 to AB1-243 and AB1-300 to AB1-331, both inclusive.

O. Reg. 544/84, Sched. 1.

REGULATION 143

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—CATARAQUI REGION

1. In this Regulation,

"Authority" means The Cataraqui Region Conservation Authority;

"building or structure" means a building or structure of any kind;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means,

(a) for the main branch of Little Cataraqui Creek, the rainfall, snowmelt, or the combination of rainfall and snowmelt, that would produce,

(i) at King Street West, in the City of Kingston, a flow of 1,000 cubic feet per second,

(ii) immediately above the confluence with the west branch of the Cataraqui Creek, a flow of 850 cubic feet per second, and

(iii) at Princess Street, in the City of Kingston, a flow of 1,850 cubic feet per second,

(b) for the west branch of Little Cataraqui Creek, the rainfall, snowmelt, or the combination of rainfall and snowmelt, that would produce,

(i) at the confluence with the main branch of Little Cataraqui Creek, a flow of 750 cubic feet per second,

(ii) at that part of the King's Highway known as No. 33, east of Days Road, a flow of 655 cubic feet per second,

(iii) at McEwen Drive, a flow of 570 cubic feet per second,

(iv) at that part of the King's Highway known as No. 33, west of Days Road, a flow of 455 cubic feet per second, and

(v) at that part of the King's Highway known as No. 2, a flow of 370 cubic feet per second;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 159, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 159, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in

the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 159, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. R.R.O. 1980, Reg. 159, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 159, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 159, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation, if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 159, s. 7.

8. Members of the staff of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 159, s. 8.

Schedule 1

That part of the valley of the Little Cataraqui Creek and its major and minor tributaries lying between Lake Ontario and that part of the King's Highway known as No. 401 and being those areas as shown delineated by the fill line on maps filed in the Office of the Registrar of Regulations at Toronto as Nos. 2082 to 2092, both inclusive. R.R.O. 1980, Reg. 159, Sched. 1.

Schedule 2

Those parts of the counties of Frontenac, Lennox and Addington and Leeds, described as follows:

1. In the Township of Ernestown in the County of Lennox and Addington and being composed of all of lots 29 to 32, both inclusive, in Concession I.

2. In the Township of Kingston in the County of Frontenac and being composed of:

   i. All of concessions I, II, III, IV and V.

   ii. Miles Square Block at the westerly end of Concession II,

   except the area described in Schedule 1.

3. In the City of Kingston in the County of Frontenac and being composed of those parts of the city lying:

   i. West of Portsmouth Avenue and south of Counter Street.

   ii. West of Division Street and north of Counter Street.

   iii. East of Montreal Street and north of the centre line of Elliott Avenue and its extension easterly.

   iv. Between the LaSalle Causeway and the extension of Elliott Avenue easterly to the City limits and being more particularly described as follows:

   Beginning at the centre of the intersection of Elliott Avenue and Montreal Street and proceeding easterly along the centre line of Elliott Avenue and its projection easterly across the Great Cataraqui River to the shore line of the Great Cataraqui River, being the easterly limit of the City of Kingston;

   thence southerly along the said easterly city limit to its intersection with that part of the King's Highway known as No. 2 at the east end of the LaSalle Causeway;

   thence westerly along the centre line of the LaSalle Causeway to its western end and the beginning of Ontario Street;

   thence southwesterly along the centre line of Ontario Street to its intersection with Place D'Armes;

   thence westerly along the centre line of Place D'Armes to its termination at Wellington Street;

thence northerly along the centre line of Wellington Street to its termination at the foot of Bay Street;

thence westerly along the centre line of Bay Street to its intersection with Rideau Street;

thence northerly along the centre line of Rideau Street to its convergence with Montreal Street;

thence northerly along the centre line of Montreal Street to the place of beginning,

except the area described in Schedule 1.

4. In the Township of Pittsburgh in the County of Frontenac and being composed of:

i. All of lots 1 to 20, both inclusive, in Concession east of the Greater Cataraqui River.

ii. All of lots C and D east of the Greater Cataraqui River.

iii. All of lots A, B, C, D and E adjoining the Military Reserve.

iv. All of Lot 22 (or Gore Lot).

v. All of lots 1 to 20, both inclusive, in Concession I.

vi. All of lots 1 to 38, both inclusive, in Concession II.

vii. All of lots 1 to 25, both inclusive, and all those parts of lots 26 to 38, both inclusive, lying south of that part of the King's Highway known as No. 2 in Concession III.

viii. All of lots 1 to 28, both inclusive, in Concession IV.

ix. All of lots 5 to 26, both inclusive, in Concession V.

x. All of lots 20 and 21, in Concession VI and all those parts of lots 15, 16, 17, 18 and 19 lying south of the Rideau Canal in Concession VI.

xi. All those parts of lots 21 and 22 lying south of the Rideau Canal in Concession VII and all that part of Lot 23 lying south of that part of the King's Highway known as No. 15 in Concession VII.

xii. All that portion of the township between the high-water mark of the St. Lawrence River and the southern boundary of the township.

5. In the Township of Elizabethtown in the County of Leeds and being composed of all of lots 9 to 15, both inclusive, in Concession III.

6. In the Township of Loughborough in the County of Frontenac and being composed of:

i. Lots 7 and 8 in Concession VIII.

ii. Lots 7 and 8 in Concession IX.

iii. Lot 7 in Concession XII.

iv. Lots 12 and 13 in Concession VII.

v. Lots 7 to 13, both inclusive, in Concession VI.

vi. Lots 4 to 10, both inclusive, in Concession V. R.R.O. 1980, Reg. 159, Sched. 2.

REGULATION 144

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—CATFISH CREEK

1. In this Regulation,

"Authority" means Catfish Creek Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means a storm producing in a forty-eight hour period in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 1 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

2.90 inches of rain in the first 36 hours
0.25 inches of rain in the 37th hour
0.17 inches of rain in the 38th hour
0.25 inches of rain in the 39th hour
0.50 inches of rain in the 40th hour
0.66 inches of rain in the 41st hour
0.50 inches of rain in the 42nd hour
0.91 inches of rain in the 43rd hour
0.50 inches of rain in the 44th hour
0.50 inches of rain in the 45th hour
2.08 inches of rain in the 46th hour
1.49 inches of rain in the 47th hour
0.50 inches of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
11 to 17 both inclusive	99.2
18 to 25 both inclusive	98.2
26 to 35 both inclusive	97.1
36 to 45 both inclusive	96.3
46 to 55 both inclusive	95.4
56 to 65 both inclusive	94.8
66 to 75 both inclusive	94.2
76 to 85 both inclusive	93.5
86 to 95 both inclusive	92.7
96 to 105 both inclusive	92.0
106 to 175 both inclusive	89.4
176 to 225 both inclusive	86.7

TABLE 2—*Continued*

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
226 to 275 both inclusive	84.0
276 to 325 both inclusive	82.4
326 to 375 both inclusive	80.8
376 to 450 both inclusive	79.3
451 to 550 both inclusive	76.6
551 to 650 both inclusive	74.4
651 to 750 both inclusive	73.3
751 to 850 both inclusive	71.7
851 to 950 both inclusive	70.2
951 to 1050 both inclusive	69.0
1051 to 1750 both inclusive	64.4
1751 to 2250 both inclusive	61.4
2251 to 2750 both inclusive	58.9
2751 to 3000 both inclusive	57.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 160, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 160, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 160, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of the land. R.R.O. 1980, Reg. 160, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 160, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 160, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation, if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 160, s. 7.

8. Members of the staff of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 160, s. 8.

Schedule 1

That part of the Catfish Creek and its tributaries comprising lands more specifically described as follows:

That portion of the area under the jurisdiction of the Authority comprising lands within the Town of Aylmer and parts of Malahide Township in the County of Elgin, and being those areas shown within and outlined by the fill line on maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1842 and 1843. R.R.O. 1980, Reg. 160, Sched. 1.

Schedule 2

That portion of Bradley Creek comprising lands more specifically described as follows:

That portion of the area under the jurisdiction of the Authority comprising lands within the Town of Aylmer in the County of Elgin, and being those areas shown outlined by fill lines on a map filed in the office of the Registrar of Regulations at Toronto as No. 1844. R.R.O. 1980, Reg. 160, Sched. 2.

REGULATION 145

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—CENTRAL LAKE ONTARIO

1. In this Regulation,

"Authority" means the Central Lake Ontario Conservation Authority;

"building or structure" means a building or structure of any kind;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, used or capable of being used, to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedule;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority; and

"regional storm" means a storm producing in a forty-eight hour period, in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

2.90 inches of rain in the first 36 hours
0.25 inches of rain in the 37th hour
0.17 inches of rain in the 38th hour
0.25 inches of rain in the 39th hour
0.50 inches of rain in the 40th hour
0.66 inches of rain in the 41st hour
0.50 inches of rain in the 42nd hour
0.91 inches of rain in the 43rd hour
0.50 inches of rain in the 44th hour
0.50 inches of rain in the 45th hour
2.08 inches of rain in the 46th hour
1.49 inches of rain in the 47th hour
0.50 inches of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
11 to 17 both inclusive	99.2
18 to 25 both inclusive	98.2
26 to 35 both inclusive	97.1
36 to 45 both inclusive	96.3
46 to 55 both inclusive	95.4
56 to 65 both inclusive	94.8
66 to 75 both inclusive	94.2
76 to 85 both inclusive	93.5
86 to 95 both inclusive	92.7
96 to 105 both inclusive	92.0
106 to 175 both inclusive	89.4

TABLE 2—*Continued*

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
176 to 225 both inclusive	86.7
226 to 275 both inclusive	84.0
276 to 325 both inclusive	82.4
326 to 375 both inclusive	80.8
376 to 450 both inclusive	79.3
451 to 550 both inclusive	76.6
551 to 650 both inclusive	74.4
651 to 750 both inclusive	73.3
751 to 850 both inclusive	71.7
851 to 950 both inclusive	70.2
951 to 1050 both inclusive	69.0
1051 to 1750 both inclusive	64.4
1751 to 2250 both inclusive	61.4
2251 to 2750 both inclusive	58.9
2751 to 3000 both inclusive	57.4

R.R.O. 1980, Reg. 161, s. 1.

2. The areas described in the Schedule are areas in which, in the opinion of the Authority the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 161, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill of any kind or permit fill to be placed or dumped in the area described in the Schedule, whether such fill is already located in or upon such area or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 161, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. R.R.O. 1980, Reg. 161, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 161, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 161, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 161, s. 7.

8. The Authority may from time to time appoint officers to enforce this Regulation who shall hold office during the pleasure of the Authority. R.R.O. 1980, Reg. 161, s. 8.

Schedule

In The Regional Municipality of Durham and more particularly described as follows:

1. In the Town of Newcastle, formerly in the Town of Bowmanville, and being composed of the following lots and parts of lots:

Concession	Lot
Broken Front	9 10 11 12 13 14
I	8 S ½ 9 S ½ 10 S ½ 11 12 13
	N ½ 14
II	8 13 14

2. In the said Town of Newcastle, formerly in the Township of Clarke, and being composed of the following lots and parts of lots:

Concession	Lot
III	N ½ 34 N ½ 35
V	S ½ 35
VIII	35

3. In the Town of Newcastle, formerly in the Township of Darlington, and being composed of the following lots and parts of lots:

Concession	Lot
Broken Front	12 13 14 15 16 17 18 N ½ 19 20 21 N ½ 28 29 32 33 34 35
I	N ½ 4 5 S ½ 6 7 15 S ½ 16 S ½ 17 S ½ 18 S ½ 20 S ½ 21 22 S ½ 23 N ½ 26 N ½ 27 28 S ½ 29 S ½ 32 S ½ 33
II	1 2 S ½ 3 S ½ 4 7 15 16 25 26 N ½ 27 28

Concession	Lot
	N ½ 29
	N ½ 30
	N ½ 31
	N ½ 32
	N ½ 33
	34
	35
III	1
	2
	6
	7
	8
	S ½ 9
	S ½ 10
	11
	S ½ 12
	N ½ of N ½ 14
	15
	16
	S ½ 20
	21
	22
	23
	24
	S ½ 25
	S ½ of S ½ 26
	32
	33
	N ½ 34
	35
IV	3
	4
	5
	6
	S ½ of S ½ 7
	S ½ 8
	9
	N ½ 15
	16
	17
	23
	24
	26
	27
	S ½ 28
	S ½ 29
	S ½ 30
	S ½ 31
	32
	S ½ 33
	S ½ 34
	35
V	2
	3
	S ½ 5
	S ½ 6
	7
	N ½ 8
	N ½ 9
	N ½ 12
	13
	14
	15
	16
	S ½ 17
	18
	19
	23
	24
	N ½ 25

Concession	Lot
	26
	S ½ 27
	S ½ 31
	S ½ 32
	34
	S ½ 35
VI	1
	2
	3
	4
	N ½ 5
	7
	8
	N ½ 10
	11
	S ½ 12
	S ½ 13
	14
	15
	16
	19
	20
	23
	24
	S ½ 25
	26
	27
	S ½ 28
	29
	30
	31
	32
VII	1
	2
	S ½ 3
	S ½ 4
	5
	6
	7
	8
	N ½ 9
	10
	S ½ 11
	12
	S ½ 13
	14
	15
	19
	20
	21
	S ½ 26
	S ½ 27
	S ½ 28
	S ½ 29
	S ½ 31
	S ½ 32
	S ½ of S ½ 33
VIII	S ½ 4
	5
	S ½ 6
	S ½ 7
	8
	9
	10
	N ½ 11
	12
	14
	15
	16
	S ½ 17

CONCESSION	LOT
	N ½ 18
	19
	S ½ 21
	22
	23
	24
	25
	26
	N ½ 27
	28
	N ½ 29
	N ½ 32
	N ½ 33
	34
	S ½ 35
IX	S ½ 11
	S ½ 12
	14
	S ½ 15
	S ½ of S ½ 16
	S ½ 22
	23
	24
	N ½ 25
	26
	27
	28
	29
	32
	S ½ 33
X	S ½ 25
	S ½ 26

4. In the Town of Whitby, and being composed of the following lots and parts of lots:

CONCESSION	LOT
Broken Front	18
	19
	20
	21
	25
	26
	27
	28
	31
	32
	33
	34
I	18
	19
	20
	21
	22
	24
	S ½ 25
	30
	31
	32
	S ½ 33
	34
II	18
	19
	20
	N ½ 23
	24
	29
	30
	31
	32
	N ½ 33
	34
	N ½ 35
III	S ½ 18
	19
	20
	21
	22
	23
	24
	N ½ 25
	28
	29
	S ½ 30
	31
	32
	S ½ 33
	34
	35
IV	20
	S ½ 21
	S ½ 22
	N ½ 24
	N ½ 25
	N ½ 26
	N ½ 27
	28
	S ½ 30
	31
	32
	34
V	N ½ 18
	23
	24
	N ½ 28
	N ½ 29
	30
	31
	N ½ 32
	34
	N ½ 35
VI	18
	N ½ 19
	S ½ 23
	24
	27
	S ½ 28
	29
	30
	31
	S ½ 32
	S ½ 33
	34
	35
VII	18
	19
	24
	25
	30
	31
	S ½ 32
	33
	N ½ 34
	35
VIII	18

Concession	Lot
	19 N ½ 20 24 S ½ 25 S ½ 26 27 28 N ½ 29 30 31 S ½ 33 34 35
IX	S ½ 18 S ½ 19 23 24 S ½ 30 31 32 33 34

5. In the City of Oshawa, formerly in the Township of East Whitby, and being composed of the following lots and parts of lots:

Concession	Lot
II	N ½ 2 N ½ 3 N ½ 4 N ½ 5
III	S ½ 1 S ½ 2 3 4 5 6 7
IV	S ½ 3 5 N ½ 6 N ½ 7 N ½ 8 N ½ 9 N ½ 10 N ½ 11 N ½ 14
V	S ½ 6 N ½ 8 9 S ½ 10 S ½ 11 S ½ 14 S ½ 15 16 N ½ 17
VI	N ½ 1 N ½ 2 N ½ 3 N ½ 4 5 6 7 8 9 N ½ 13
	N ½ 14 15 16 17
VII	S ½ 1 S ½ 2 S ½ 3 N ½ 4 5 6 N ½ 7 8 S ½ 9 S ½ 11 12 13 N ½ 14 15
VIII	3 4 S ½ 5 6 7 S ½ of S ½ 8 N ½ 10 11 S ½ 12 S ½ 13 14 15 N ½ 17
IX	12 S ½ 13 S ½ 14 S ½ 17

6. In the Town of Whitby, formerly in the Township of Pickering, and being composed of the following lots and parts of lots:

Concession	Lot
III	1
IV	S ½ 1 2
V	2 N ½ 3
VI	3
VII	1 N ½ 2
VIII	2 3
IX	S ½ 1 S ½ 2 S ½ 3

7. In the Township of Scugog, formerly in the Township of Reach, and being composed of the following lots and parts of lots:

Concession	Lot
I	1

Concession	Lot
	2 3 S ½ 4 S ½ 5 S ½ 6 S ½ 7 S ½ 8 S ½ 9
II	S ½ 1 S ½ 2 S ½ 3

8. In the Township of Uxbridge, and being composed of the following lots and parts of lots:

Concession	Lot
VII	E ½ of E ½ 5

9. Those parts of the City of Oshawa being composed of:

i. The following lots and parts of lots:

Concession	Lot
I	S ½ 1 S ½ 2
II	16
III	S ½ 15 16 N ½ 17

ii. That part bounded on the north by the City Limits, on the east by the City Limits, on the south by Taunton Road, on the west by Stevenson Road North.

iii. That part enclosed within the following irregular boundaries; commencing at the northeast angle being the intersection of Taunton Road East and the City Limits, thence southerly and easterly along the City Limits to Townline Road North, thence southerly along Townline Road North to King Street East, thence westerly along King Street East to Wilson Road North, thence northerly along Wilson Road North to Colborne Street East, thence westerly along Colborne Street East to Central Park Blvd. North, thence northerly along Central Park Blvd. North to Holcan Avenue, thence westerly and northerly along Holcan Avenue to Hillcroft Street, thence westerly along Hillcroft Street to Oshawa Blvd. North, thence northerly along Oshawa Blvd. North to Darcy Street, thence westerly along Darcy Street to Grierson Street, thence northerly along Grierson Street to Robert Street, thence westerly along Robert Street to Simcoe Street North, thence northerly along Simcoe Street North, to Taunton Road East, thence easterly along Taunton Road East to the point of commencement.

iv. That part bounded on the north by King Street East, on the east by Lorindale Drive and northerly and southerly projections of Lorindale Drive from King Street East to Olive Avenue, and on the south and west by an irregular boundary running westerly along Olive Avenue to Harmony Road South, thence northerly along Harmony Road South to Taylor Avenue, thence westerly along Taylor Avenue to Farewell Avenue, thence northerly along Farewell Avenue to King Street East.

v. That part bounded on the north by Olive Avenue, on the east by Grandview Street South, on the south by Bloor Street East, and on the west by Harmony Road South.

vi. That part bounded on the north by Tennyson Avenue and a line projected westerly from Tennyson Avenue to Wilson Road South, on the east by Harmony Road South, on the south by Bloor Street East, and on the west by Wilson Road South.

vii. That part bounded on the north by Bloor Street East, on the east by the Canadian Pacific Railway easement and Townline Road South, on the south by Lake Ontario, and on the west by Farewell Street and a line projected southerly from Farewell Street to Lake Ontario.

viii. That part enclosed within the following irregular boundaries; commencing at the northeast angle being the intersection of Bloor Street East and Wilson Road South, thence southerly along Wilson Road South to Raleigh Avenue, thence easterly along Raleigh Avenue to Farewell Street, thence southerly along Farewell Street and a line projected southerly to Lake Ontario, thence southwesterly along the shore of Lake Ontario to Henry Street, thence northerly along Henry Street to Simcoe Street South, thence northwesterly along Simcoe Street South to Nelson Street, thence northerly along Nelson Street to Conant Street, thence westerly along Conant Street to Ritson Road South, thence northerly along Ritson Road South to Bloor Street East, thence easterly along Bloor Street East to the point of commencement.

ix. That part enclosed within the following irregular boundaries; commencing at the northeast angle being the intersection of the Canadian Pacific Railway easement and Simcoe Street South, thence southerly and southeasterly along Simcoe Street South to Wentworth Street, thence southwesterly along Wentworth Street to Ravine Street, thence southeasterly and southerly along Ravine Street to Southlawn Avenue, thence easterly along Southlawn Avenue to Cloverdale Street, thence southerly along Cloverdale Street to Willowbank Court, thence northeasterly along Willowbank Court to Kawartha Street, thence easterly along Kawartha Street to Simcoe Street South, thence southeasterly along Simcoe Street South to Henry Street, thence southerly along Henry Street to Lakeview Park Avenue, thence westerly along Lakeview Park Avenue to Ritson Road South, thence northerly along Ritson Road South to Valley Drive, thence northwesterly along Valley Drive to Thomas Street, thence westerly along Thomas Street to Cedar Street, thence northerly along Cedar Street to Wentworth Street, thence westerly along Wentworth Street to Glen Street, thence northerly along Glen Street to Malaga Road, thence westerly along Malaga Road to Oxford Street, thence northerly along Oxford Street to Mill Street, thence westerly along Mill Street to Cubert Street, thence northerly along Cubert Street to the Canadian Pacific Railway easement, thence easterly along the Canadian Pacific Railway easement to the point of commencement.

x. That part bounded on the north by Gibb Street, on the east by Centre Street, on the south by the Canadian Pacific Railway easement, on the east by Durham Street and along a line projected southerly from Durham Street to the Canadian Pacific Railway easement.

xi. That part bounded on the north by King Street West, on the east by Stevenson Road South, on the south by Gibb Street and on the west by Waverly Street.

xii. That part enclosed within the following irregular boundaries; commencing at the northeast angle being the intersection of Taunton Road West and a line projected northerly from Mohawk Street southerly along this line and Mohawk Street to Switzer Drive, thence on a line projected southerly from Mohawk Street and Switzer Drive to Glenwood Crescent and Bessborough Drive, thence southerly along Bessborough Drive to Rossland Road West, thence southerly along a line projected from Bessborough Drive and

Rossland Road West to Grooms Avenue, thence southerly along Grooms Avenue to Adelaide Avenue West, thence southerly along Kaiser Crescent and McMillan Drive to King Street West, thence easterly along King Street West to Centre Street, thence southerly along Centre Street to Gibb Street, thence westerly along Gibb Street to Nassau Street, thence northerly along Nassau Street to King Street West, thence easterly along King Street West to Arena Street, thence northerly along Arena Street to Adelaide Avenue West, thence westerly along Adelaide Avenue West to Park Road North, thence northerly along Park Road North and Nipigon Street to Rossland Road West, thence easterly along Rossland Road West to Glenmanor Drive, thence northerly along Glenmanor Drive and a line projected northerly from the end of Glenmanor Drive to the southern boundary of the North Half of Lot 13, Concession III, thence westerly along the southern boundary of the North Half of Lot 13, Concession III, thence northerly along the lot line between lots 13 and 14, Concession III to Taunton Road West, thence easterly along Taunton Road West to the point of commencement.

xiii. That part bounded on the north by Rossland Road West, on the east by Thornton Road, on the south by Champlain Avenue and on the west by the city limits,

as shown on maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1339 and 1340.

xiv. That part bounded on the east by Ritson Road South, on the north by the westerly extension of Lakeview Park Avenue to Cedar Street, on the west by Cedar Street and its southerly extension to Lake Ontario and on the south by Lake Ontario,

as shown on a map filed in the office of the Registrar of Regulations at Toronto as No. 1623. R.R.O. 1980, Reg. 161, Sched.

REGULATION 146

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—CREDIT VALLEY

1. In this Regulation,

"Authority" means The Credit Valley Conservation Authority;

"building or structure" means a building or structure of any kind;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority; and

"regional storm" means a storm producing in a forty-eight hour period, in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2. R.R.O. 1980, Reg. 162, s. 1, *part.*

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 162, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill of any kind or permit fill to be placed or dumped in the areas described in the Schedules, whether such fill is already located in or upon such area or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 162, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. R.R.O. 1980, Reg. 162, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 162, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Manager/Secretary-Treasurer of the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Manager/Secretary-Treasurer of the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river,

creek, stream or watercourse shall be filed with the Manager/-Secretary-Treasurer of the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 162, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 162, s. 7.

TABLE 1

2.90 inches of rain in the first 36 hours
0.25 inches of rain in the 37th hour
0.17 inches of rain in the 38th hour
0.25 inches of rain in the 39th hour
0.50 inches of rain in the 40th hour
0.66 inches of rain in the 41st hour
0.50 inches of rain in the 42nd hour
0.91 inches of rain in the 43rd hour
0.50 inches of rain in the 44th hour
0.50 inches of rain in the 45th hour
2.08 inches of rain in the 46th hour
1.49 inches of rain in the 47th hour
0.50 inches of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
11 to 17 both inclusive	99.2
18 to 25 both inclusive	98.2
26 to 35 both inclusive	97.1
36 to 45 both inclusive	96.3
46 to 55 both inclusive	95.4
56 to 65 both inclusive	94.8
66 to 75 both inclusive	94.2
76 to 85 both inclusive	93.5
86 to 95 both inclusive	92.7
96 to 105 both inclusive	92.0
106 to 175 both inclusive	89.4
176 to 225 both inclusive	86.7
226 to 275 both inclusive	84.0
276 to 325 both inclusive	82.4
326 to 375 both inclusive	80.8
376 to 450 both inclusive	79.3
451 to 550 both inclusive	76.6
551 to 650 both inclusive	74.4
651 to 750 both inclusive	73.3
751 to 850 both inclusive	71.7

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
851 to 950 both inclusive	70.2
951 to 1050 both inclusive	69.0
1051 to 1750 both inclusive	64.4
1751 to 2250 both inclusive	61.4
2251 to 2750 both inclusive	58.9
2751 to 3000 both inclusive	57.4

R.R.O. 1980, Reg. 162, s. 1, *part*.

Schedule 1

The part of the watershed of the Credit River between Lake Ontario in the City of Mississauga to the Credit Forks Station in the Town of Caledon; the part of the watershed of Silver Creek (Credit River West Branch) from the confluence with the Credit River to Lot 25, Concession VIII in the Town of Halton Hills; the part of the watershed of Black Creek from the confluence with Silver Creek to Trafalgar Road in the Town of Halton Hills; and the part of the watershed of Carolyn Creek between the confluence with the Credit River and Second Line West in the City of Mississauga within the fill line as shown on Credit River floodplain drawings 101 to 110, 112, 113, 115, 116, 117, 119 to 123, 201 to 218, 220, 302 to 316, 402 to 422, 424 to 439, 502 to 507, 509, 510, 512 to 518, 520 to 530, 532 to 537, 539 and 540, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Numbers CV1-101 to CV1-110, CV1-112, CV1-113, CV1-115, CV1-116, CV1-117, CV1-119 to CV1-123, CV1-201 to CV1-218, CV1-220, CV1-302 to CV1-316, CV1-402 to CV1-422, CV1-424 to CV1-439, CV1-502 to CV1-507, CV1-509, CV1-510, CV1-512 to CV1-518, CV1-520 to CV1-530, CV1-532 to CV1-537, CV1-539 and CV1-540 and identified by the stamp of the Registrar of Regulations dated the 14th day of June, 1989, and more particularly described as follows:

1. In the City of Mississauga, formerly the Township of Toronto, lands within the valley of the Credit River from the mouth at Lake Ontario to the boundary between Range 4 N.D.S. and Range 5 N.D.S., and in addition the following lots and part lots:

RANGE	LOT
5 N.D.S.	N. ½ 3 N. ½ 4

CONCESSION	LOT
2 W.H.S.	E. ½ 11 12

RANGE	LOT
3 W.H.S.	2 3 W. ½ 6 7 8 9 10 11 12

CONCESSION	LOT
4 W.H.S.	1 2 W. ½ 3 W. ½ 4 5 6 7 8 9 E. ½ 10 E. ½ 11 E. ½ 12

2. In the City of Brampton, formerly the Township of Toronto and being composed of the following lots and parts of lots:

CONCESSION	LOT
3 W.H.S.	13* W. ½ 14* W. ½ 15*
4	E. ½ 14* 15* *South of Steeles Ave.

3. In the City of Brampton, formerly the Township of Chinguacousy, and being composed of the following lots and parts of lots:

CONCESSION	LOT
1 W.H.S.	34
2 W.H.S.	W. ½ 32 W. ½ 33 34
3 W.H.S.	W. ½ 1 2 3 W. ½ 29 30 31 E. ½ 32 E. ½ 33
4 W.H.S.	1 E. ½ 2 3 4 5 W. ½ 28 29 E. ½ 30
5 W.H.S.	E. ½ 4 5 6 7 8 27 28 E. ½ 29
6 W.H.S.	E. ½ 7 8 9 10 W. ½ 11 W. ½ 13 25 26 27 E. ½ 28

4. In the Town of Caledon, formerly the Township of Caledon, and being composed of the following lots and parts of lots:

CONCESSION	LOT
1	1 2 W. ½ 3 4 5 W. ½ 6 W. ½ 7 W. ½ 8
2	W. ½ 1 6 7 8
3	E. ½ 6 7 8 9 10

5. In the Town of Halton Hills, formerly in the Township of Esquesing, and being composed of the following lots and parts of lots:

CONCESSION	LOT
8 W.H.S.	16 17 21 E. ½ 22 E. ½ 23 E. ½ 24 25
9 W.H.S.	E. ½ 13 14 W. ½ 15 W. ½ 16 W. ½ 17 21
10 W.H.S.	W. ½ 11 W. ½ 13 N. ½ 16 E. ½ 17 18 19 20 E. ½ 21 22 23 E. ½ 24

CONCESSION	LOT
11 W.H.S.	E. ½ 10
	11
	12
	13
	14
	15
	N. ½ 16
	E. ½ 22
	23
	24
	25
	W. ½ 26
	W. ½ 27
	W. ½ 28

O. Reg. 655/89, s. 1, *part*.

Schedule 2

The part of the watershed of Turtle Creek from Lake Ontario to Barsuda Drive; all lands in the valley of Birchwood Creek from Lake Ontario to Truscott Drive; and all lands in the valley of Lornewood Creek from Lake Ontario to Lorne Wood Road, all in the City of Mississauga within the fill line as shown on drawings 1 to 6 and 8 to 12, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Numbers CV2-1 to CV2-6 and CV2-8 to CV2-12 and identified by the stamp of the Registrar of Regulations dated the 14th day of June, 1989. O. Reg. 655/89, s. 1, *part*.

Schedule 3

All lands within the valley of Fletchers Creek in The Regional Municipality of Peel from the confluence with the Credit River in the City of Mississauga to the 15th Sideroad in the City of Brampton as shown delineated by a broken heavy line on the Fletchers Creek flood plain plans 1 to 11 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV3-1 to CV3-11, both inclusive. R.R.O. 1980, Reg. 162, Sched. 3.

Schedule 4

All lands within the valley of Cooksville Creek between Lake Ontario and Highway 401 within The Regional Municipality of Peel as shown delineated by a solid heavy line on plans 1 to 9 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV4-1 to CV4-9, both inclusive. R.R.O. 1980, Reg. 162, Sched. 4.

Schedule 5

All lands within the valley of Silver Creek within lots 25, 26 and 27, Concession VIII, lots 25, 26, 27, 28 and 29, Concession IX and lots 27, 28 and 29, Concession X, in the Township of Esquesing, as it existed on the 31st day of December, 1973, shown on plans 1 and 2 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV5-1 and CV5-2. R.R.O. 1980, Reg. 162, Sched. 5.

Schedule 6

All lands within a portion of the City of Mississauga Waterfront Area between the line marking the southwesterly limit of the former Town of Port Credit and Clarkson Road South and bounded on the northwest by Lakeshore Road West being King's Highway No. 2, shown delineated by a solid heavy line on plans 1 and 2 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV6-1 and CV6-2. R.R.O. 1980, Reg. 162, Sched. 6.

Schedule 7

All lands within the valley of the watercourse between the Queen Elizabeth Way and Mineola Road shown delineated by a solid heavy line on the contour plan filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as No. CV7-1. R.R.O. 1980, Reg. 162, Sched. 7.

Schedule 8

The part of the watershed of Kenolli Creek from the confluence with Mary Fix Creek to the Queensway West in the City of Mississauga within the fill line as shown on drawings 1 to 4, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV8-1 to CV8-4 and identified by the stamp of the Registrar of Regulations dated the 14th day of June, 1989. O. Reg. 655/89, s. 1, *part*.

Schedule 9

All lands within the valley of the Credit River between the Credit Forks Station and the Town Line dividing that part of the Town of Caledon that was formerly the Township of Caledon and the Town of Orangeville, shown delineated by a broken heavy line on the Credit River Flood plain plans 1 to 12 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV9-1 to CV9-12, both inclusive. R.R.O. 1980, Reg. 162, Sched. 9.

Schedule 10

All lands within the valley of the Credit River between the Town Line dividing that part of the Town of Caledon that was formerly the Township of Caledon and the Town of Orangeville and the Orangeville Reservoir, and the watercourse from King's Highway No. 9 along the Canadian Pacific Railway to the Credit River Valley, shown delineated by a broken heavy line on plans 1 and 2 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV10-1 and CV10-2. R.R.O. 1980, Reg. 162, Sched. 10.

Schedule 11

All lands within the valley of the West Branch of the Credit River from the Credit River in The Regional Municipality of Peel into the Township of Erin as shown delineated by a solid heavy line on plans 1 to 13 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV11-1 to CV11-13, both inclusive. R.R.O. 1980, Reg. 162, Sched. 11.

Schedule 12

All lands within the valley of the East Branch of the Credit River from the Credit River within the Town of Caledon as shown delineated by a solid heavy line on plans 1 to 6 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV12-1 to CV12-6, both inclusive. R.R.O. 1980, Reg. 162, Sched. 12.

Schedule 13

All lands within the valley of the Mullett Creek from the Credit River in the City of Mississauga to the 6th Line, West of Hurontario Street in the City of Brampton as shown delineated by a solid heavy line on plans 1 to 13 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV13-1 to CV13-13, both inclusive. R.R.O. 1980, Reg. 162, Sched. 13.

Schedule 14

All lands within the valley of the Levi Creek from the Credit River in the City of Mississauga in The Regional Municipality of Peel into the Town of Halton Hills in The Regional Municipality of Halton as shown delineated by a solid heavy line on plans 1 to 8 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV14-1 to CV14-8, both inclusive. R.R.O. 1980, Reg. 162, Sched. 14.

Schedule 15

All lands within the valley of the Black Creek from the Credit River to the former Village of Acton all within the Town of Halton

Hills in The Regional Municipality of Halton as shown delineated by a solid heavy line on plans 1 to 8 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV15-1 to CV15-8, both inclusive. R.R.O. 1980, Reg. 162, Sched. 15.

Schedule 16

All lands within the valley of the Caledon Creek from the Credit River through the Town of Caledon in The Regional Municipality of Peel as shown delineated by a solid heavy line on plans 1 to 14 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV16-1 to CV16-14, both inclusive. R.R.O. 1980, Reg. 162, Sched. 16.

Schedule 17

All lands within the valley of the Shaws Creek from the Credit River as shown delineated by a solid heavy line on plans 1 to 14 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV17-1 to CV17-14, both inclusive. R.R.O. 1980, Reg. 162, Sched. 17.

Schedule 18

The part of the watershed of Wolfedale Creek from the confluence with the Credit River to Highway 403, in the City of Mississauga within the file line as shown on drawings 1 to 5, 7 and 8 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV18-1 to CV18-5, CV18-7 and CV18-8, and identified by the stamp of the Registrar of Regulations dated the 14th day of June, 1989. O. Reg. 655/89, s. 2, *part*.

Schedule 19

The part of the watershed of Loyalist Creek from the Credit River to Winston Churchill Boulevard in the City of Mississauga within the fill line as shown on drawings 3, 4 and 6 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV19-3, CV19-4 and CV19-6, and identified by the stamp of the Registrar of Regulations dated the 14th day of June, 1989. O. Reg. 655/89, s. 2, *part*.

Schedule 20

The part of the watershed of Sheridan Creek from Clarkson Road in the City of Mississauga to Winston Churchill Boulevard in the Town of Oakville within the fill line as shown on drawings 2 and 5 to 8 filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. CV20-2 and CV20-5 to CV20-8 and identified by the stamp of the Registrar of Regulations dated the 14th day of June, 1989. O. Reg. 655/89, s. 2, *part*.

REGULATION 147

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—ESSEX REGION

1. In this Regulation,

"Authority" means the Essex Region Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, building materials, storage materials, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"mm" means millimetres;

"regional storm" means a storm producing in a forty-eight hour period in a drainage area of,

(a) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2;

TABLE 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour
53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (in square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7
2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 730/82, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 730/82, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill, or permit fill to be placed or dumped, permanently or temporarily, in the areas described in Schedule 1, whether such fill is already located in or upon such area or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 730/82, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure, or the placing or dumping of fill, or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse, to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping of fill and the method of construction or placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 730/82, s. 4.

5. No person shall commence to construct any building or structure, or dump or place fill, or straighten, change, divert or interfere with the existing channel of a river, lake, creek, stream or watercourse, in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 730/82, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details and the method of construction;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of the straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken and the method to be used to carry out the straightening, change, diversion or interference;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 730/82, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for permission are not carried out. O. Reg. 730/82, s. 7.

8. Members of the staff of the Authority are appointed as officers to enforce this Regulation. O. Reg. 730/82, s. 8.

Schedule 1

LITTLE RIVER

In the County of Essex, more particularly described as follows:

In the City of Windsor and the townships of Sandwich East and Sandwich South, composed of the following lots and concessions:

Concession	Lot
I. (Plan of the Township of Sandwich East)	Parts of 133, including part of lots 1 to 71, both inclusive, and part of Block B, Reg. Plan No. 1533, and including parts of lots 1 to 8, both inclusive, Plan M-113 Parts of 129 West, 132 and 134, including part of Lot 1 and part of lots 3 to 20, both inclusive, Plan No. 1501

CONCESSION	LOT
II. (Plan of the Township of Sandwich East)	Parts of 128, including parts of Block A, Plan M-26 and including all of Plan M-142 Parts of 125, 126, 127, 129, 132 and 133
III. (Plan of the Township of Sandwich East)	All of 125, 126, 127, 134 and 135
III. (Plan of the Township of Sandwich South)	Parts of 136 and 137

as shown on sheets 1, 2 and 3 of the maps entitled "Essex Region Conservation Authority, Fill Line Mapping" filed in the Regional Office of the Ministry of Natural Resources at London.

O. Reg. 784/84, s. 1, *part.*

Schedule 2

CEDAR, WIGLE AND MILL CREEKS

The part of the watershed of Cedar, Wigle and Mill Creeks within the fill line as outlined by a broken line on Sheets No. 05 17 3450 46575; 05 17 3450 46550; 05 17 3450 46525; 05 17 3475 46575; 05 17 3475 46550; 05 17 3475 46525; 05 17 3475 46500; 05 17 3500 46575; 05 17 3500 46550; 05 17 3500 46525; 05 17 3500 46500; 05 17 3525 46575; 05 17 3525 46550; 05 17 3525 46525; 05 17 3525 46500; 05 17 3550 46550; 05 17 3550 46525; and 05 17 3575 46550 of the maps entitled "Essex Region Conservation Authority Floodline Mapping Study; Cedar, Wigle, and Mill Creeks", filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, comprised of all those parcels or tracts of land and premises being in the townships of Gosfield South and Colchester South and the Town of Kingsville, in the County of Essex, more particularly described as follows:

CONCESSION	LOT
Front Concession, Western Division, in the Town of Kingsville	Parts of 1 to 4, both inclusive
Front Concession, Eastern Division, in the Town of Kingsville	Part of 1
Front Concession, Western Division (Plan of the Township of Gosfield South)	Parts of 4 to 32, both inclusive
4th Section, Western Division, (Plan of the Township of Gosfield South)	Parts of 4, 7, 9, 10, 16 and 17
Front Concession, Eastern Division, (Plan of the Township of Gosfield South)	Parts of 1 to 6, both inclusive
II. (Plan of the Township of Gosfield South)	Parts of F, G, H, I and K
I. (Plan of the Township of Colchester South)	Parts of 33 to 39, both inclusive
II. (Plan of the Township of Colchester South)	Parts of 17 to 19, both inclusive
III. (Plan of the Township of Colchester South)	Parts 14 to 19, both inclusive
IV. (Plan of the Township of Colchester South)	Parts of 14 to 19, both inclusive

O. Reg. 784/84, s. 1, *part.*

Schedule 3

PIKE CREEK, PUCE RIVER, FOURTH CONCESSION DRAIN, BELLE RIVER, DUCK CREEK, MOISSON CREEK AND RUSCOM RIVER

The part of the watershed of Pike Creek, Puce River, Fourth Concession Drain, Belle River, Duck Creek, Moisson Creek and the Ruscom River within the fill lines as outlined by a broken line on Sheets No. 1 to 24, both inclusive, 24A and 25 to 52, both inclusive, of the maps entitled "Essex Region Conservation Authority Fill and Floodline Mapping", filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, comprised of all those parcels or tracts of land and premises being in the townships of Sandwich South, Maidstone, Rochester and Gosfield North, the Village of St. Clair Beach and the Town of Belle River, in the County of Essex, more particularly described as follows:

CONCESSION	LOT
X. (Plan of the Township of Sandwich South)	Parts of 9 to 14, both inclusive
XI. (Plan of the Township of Sandwich South)	Parts of 9 to 14, both inclusive, and 16 to 20, both inclusive All of 15
XII. (Plan of the Township of Sandwich South)	Parts of 8 to 19, both inclusive All of 20

CONCESSION	LOT
North Talbot Road Concession (Plan of the Township of Sandwich South)	All of 292 and 293 Parts of 294 to 297, both inclusive
West Pike Creek Concession (Village of St. Clair Beach)	Parts of Gore Lot, 1 and 2
West Pike Creek Concession (Plan of the Township of Maidstone)	Parts of 2 to 10, both inclusive
East Pike Creek Concession (Plan of the Township of Maidstone)	Parts of 1 to 10, both inclusive
North Middle Road Concession (Plan of the Township of Maidstone)	All of 1 and parts of 2, 11, 12, 13 and 22
South Middle Road Concession (Plan of the Township of Maidstone)	Parts of 1, 2 and 19 to 22, both inclusive All of 11 and 12
North Talbot Road Concession (Plan of the Township of Maidstone)	Parts of 292 and 293
Concession between the East Pike Creek Concession and the West Puce River Concession fronting on Lake St. Clair (Plan of the Township of Maidstone)	Parts of 1 to 4, both inclusive
West Puce River Concession (Plan of the Township of Maidstone)	Parts of B and 1 to 7, both inclusive
East Puce River Concession (Plan of the Township of Maidstone)	Parts of 1 to 7, both inclusive
Concession between the Belle River Concession and the East Puce River Concession fronting on Lake St. Clair (Plan of the Township of Maidstone)	Parts of 1 to 3, both inclusive
I. (Plan of the Township of Maidstone)	All of A, 1 and 2 Parts of 3 to 20, both inclusive, and 24 to 29, both inclusive
II. (Plan of the Township of Maidstone)	All of 11 Parts of 12 and 24
III. (Plan of the Township of Maidstone)	All of 11 Parts of 12 and 13
IV. (Plan of the Township of Maidstone)	Parts of 11, 12, 15, 18 and 19
V. (Plan of the Township of Maidstone)	Parts of 11 to 19, both inclusive, and part of 24
VIII. (Plan of the Township of Maidstone)	Parts of 11 and 12
IX. (Plan of the Township of Maidstone)	Parts of 11, 12 and 19
X. (Plan of the Township of Maidstone)	Parts of 11 and 18 All of 19
I. West of Belle River in the Town of Belle River	All of A, 1 and 2
I. East of Belle River in the Town of Belle River	All of A and 1 Parts of 2 and 3
Lakeshore Range Concession (Plan of the Township of Rochester)	Parts of 1 to 8, both inclusive
West Ruscom River Concession (Plan of the Township of Rochester)	Parts of A and 3 to 8, both inclusive All of 1 and 2
East Ruscom River Concession (Plan of the Township of Rochester)	Parts of A, 1 and 4 to 8, both inclusive All of 2 and 3
North Middle Road Concession (Plan of the Township of Rochester)	Parts of 1, 3, 4, and 9 to 13, both inclusive All of 14 to 17, both inclusive
South Middle Road Concession (Plan of the Township of Rochester)	Parts of 1, 4, 9 to 11, both inclusive, and 15 to 17, both inclusive All of 12 to 14, both inclusive
I. (Plan of the Township of Rochester)	Parts of A, 1 to 20, both inclusive, and 25 to 30, both inclusive

CONCESSION	LOT
II. (Plan of the Township of Rochester)	Parts of 11 and 12
III. (Plan of the Township of Rochester)	Parts of 11 and 12
IV. (Plan of the Township of Rochester)	Parts of 12, 15 to 17, both inclusive All of 25 to 30, both inclusive
V. (Plan of the Township of Rochester)	Parts of 12 to 15, both inclusive All of 25 to 30, both inclusive
VI. (Plan of the Township of Rochester)	All of 12, 21, and 25 to 30, both inclusive Parts of 13 and 15 to 20, both inclusive
VII. (Plan of the Township of Rochester)	All of 12, 25 to 27, both inclusive Parts of 13, 20, 28 and 29, both inclusive
VIII. (Plan of the Township of Rochester)	Part of 29 All of 30
North Talbot Road Concession (Plan of the Township of Gosfield North)	Parts of 270 and 271
VII. (Plan of the Township of Gosfield North)	Parts of 15 to 22, both inclusive, and 24 and 25
VIII. (Plan of the Township of Gosfield North)	All of 12, and 14 to 21, both inclusive Parts of 13, 22 to 25, both inclusive
IX. (Plan of the Township of Gosfield North)	Parts of 12 to 21, both inclusive
X. (Plan of the Township of Gosfield North)	Parts of 13 to 16, both inclusive, and 19 to 25, both inclusive
XI. (Plan of the Township of Gosfield North)	Parts of 12 to 14, both inclusive, and 20 All of 21 to 25, both inclusive

O. Reg. 784/84, s. 1, *part.*

Schedule 4

STURGEON CREEK AND SELKIRK DRAIN

The part of the watersheds of Sturgeon Creek and Selkirk Drain within the fill line as outlined by a broken line on Sheets No. 1, 2, 3, 4, 5, and 6 of the maps entitled "Essex Region Conservation Authority Floodplain and Fill Regulation line Mapping—Sturgeon Creek", filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, comprised of all those parcels or tracts of land and premises being in the Township of Mersea and the Town of Leamington, in the County of Essex and Province of Ontario, more particularly described as follows:

CONCESSION	LOT
A. (Plan of the Township of Mersea)	Parts of 8, 11 to 13, both inclusive
B. (Plan of the Township of Mersea)	Parts of 10 to 12, both inclusive
I. (Plan of the Township of Mersea)	Parts of 8 to 12, both inclusive
III. (Plan of the Township of Mersea)	Parts of 1 to 6, both inclusive
South Talbot Road Concession (Plan of the Township of Mersea)	Parts of 236 to 241, both inclusive
North Talbot Road Concession (Plan of the Township of Mersea)	Parts of 238 to 244, both inclusive
North Talbot Road Concession (Plan of the Town of Leamington)	Parts of 243 and 244

O. Reg. 784/84, s. 1, *part.*

Schedule 5

CANARD RIVER AND BIG CREEK

The part of the watershed of Canard River and Big Creek within the fill line as outlined by a broken line on maps ER5-1 to ER5-18, both inclusive, ER5-20 to ER5-29, both inclusive, ER5-31 to ER5-49, both inclusive, ER5-49A, ER5-50, ER5-52 to ER5-59, both inclusive, and ER5-61 to ER5-67, both inclusive, all maps dated December 1982, of the maps entitled "Essex Region Conservation Authority, Canard River and Big Creek, Floodline Mapping Study", filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, comprised of all the land and premises being in the County of Essex, more particularly described as follows:

1. In the Township of Malden, County of Essex, and being comprised of the following lots:

CONCESSION	LOT
I	Parts of 5 to 19, both inclusive
II	Parts of 6, 20, 21 and 24
III	Parts of 25 to 32, both inclusive All of 33
	Part of the Caldwell Grant
IV	Parts of 34, 36, 37 and 38 All of 35
V	Parts of 49, 50, 52 and 56 All of 53, 54 and 55
VI	Parts of 57, 63, 64 and 67 to 70, both inclusive
VII	Parts of 63, 64 and 77 to 81, both inclusive
VIII	Parts of 88, 89, 93 and 94 All of 90, 91 and 92
IX	Part of 96 All of 97 to 101, both inclusive

2. In the Township of Anderdon, County of Essex, and being comprised of the following lots:

CONCESSION	LOT
I	Parts of 26 to 42, both inclusive
II	Parts of 1 to 14, both inclusive
III	Parts of 1, 4 to 10, both inclusive and 14
IV	Parts of 3 to 7, both inclusive, and 11 to 14, both inclusive
V	Parts of 1 to 4, both inclusive, and 9 to 14, both inclusive
VI	Parts of 1, 2, 5 to 10, both inclusive, 12, 13 and 14
VII	Parts of 4 to 9, both inclusive, 11 and 12
VIII	Parts of 1 to 6, both inclusive, 8, 9, 11, 12 and 13

3. In the Township of Sandwich West, County of Essex, and being comprised of the following lots:

CONCESSION	LOT
I	Parts of 2 to 29, both inclusive
II	Parts of 1 to 34, both inclusive
III	Parts of 1 to 6, both inclusive
IV	Parts of 3 to 6, both inclusive
V	Parts of 1, 2 and 3
VI	Parts of 1, 2 and 3
VII	Parts of 1 and 2
VIII	Part of 1

4. In the Township of Colchester North, County of Essex, and being comprised of the following lots:

CONCESSION	LOT
South Malden Road	Parts of 1, 2 and 3, 6 to 10, both inclusive, and 12 to 32, both inclusive
North Malden Road	Parts of 1 to 13, both inclusive, and 17 to 33, both inclusive
South Talbot Road	Parts of 281, 283, 284 and 285
VII	Parts of 3 to 8, both inclusive
VIII	Parts of 8 to 13, both inclusive, and 18 to 21, both inclusive
IX	Parts of 11, 12, 13 and 17 to 21, both inclusive
X	Part of 1 All of 17 to 21, both inclusive
XI	Part of 1
XII	Parts of 1, and 12 to 15, both inclusive
XIII	Parts of 1 to 4, both inclusive, and 14 to 18, both inclusive
XIV	Parts of 1 to 4, both inclusive, and 14 to 17, both inclusive

O. Reg. 437/85, s. 1, *part.*

Schedule 6

TURKEY CREEK

The part of the watershed of Turkey Creek within the fill line as outlined by a broken line on maps ER6-1 dated 1983 and ER6-2 to ER6-13, both inclusive, ER6-15A, ER6-16, ER6-17 and ER6-21A, dated February 1982, of the maps entitled "City of Windsor—Photo Map" and maps ER6-14, ER6-15B, ER6-18 to ER6-20, both inclusive, ER6-21B, ER6-22 to ER6-33, both inclusive, ER6-34A, ER6-34B, ER6-35 and ER6-36, dated February 1982, of the maps entitled "City of Windsor—Topographic Map", filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, comprised of all the land and premises being in the County of Essex, more particularly described as follows:

1. In the City of Windsor, County of Essex, and being comprised of the following lots:

CONCESSION	LOT
II	Parts of 44 to 55, both inclusive, and 71 to 109, both inclusive
III	Parts of 63 to 78, both inclusive, and 81 to 102, both inclusive
IV	Parts of 1 to 5, both inclusive
North of Talbot Road	Parts of 306 to 308, both inclusive

2. In the Township of Sandwich West, County of Essex, and being comprised of the following lots:

CONCESSION	LOT
I	Parts of 36 to 45, both inclusive
II	Parts of 33 to 40, both inclusive
IV	Parts of 1 and 2

O. Reg. 437/85, s. 1, *part.*

REGULATION 148

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—GANARASKA REGION CONSERVATION AUTHORITY

1. In this Regulation,

"Authority" means the Ganaraska Region Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, and whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"mm" means millimetres;

"regional storm" means a storm producing in a forty-eight hour period in a drainage area of,

(a) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2;

TABLE 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour
53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (in square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7
2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 576/84, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 576/84. s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill, or permit fill to be placed or dumped, permanently or temporarily, in the areas described in the Schedules; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 576/84, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure, or the placing or dumping of fill, or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse, to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping of fill and the method of construction or placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 576/84, s. 4.

5. No person shall commence to construct any building or struc-

ture, or dump or place fill, or straighten, change, divert or interfere with the existing channel of a river, lake, creek, stream or watercourse, in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 576/84, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details and the method of construction;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken and the method to be used to carry out such straightening, change, diversion or interference;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 576/84, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for the permission are not carried out. O. Reg. 576/84, s. 7.

8. The Authority may appoint, from time to time, officers to enforce this Regulation. O. Reg. 576/84, s. 8.

Schedule 1

In the County of Northumberland and more particularly described as follows:

In the Township of Hope in the County of Northumberland and being composed of the following lots and part of lots:

CONCESSION	LOT
Broken Front	12
	13
	14
	15
	16
	20
	21
	22
	23
	26
	27
	28
	29
	30
	34
	35
I	N. ½ 10
	11
	12
	15
	16
	20
	21
	S. ½ 22
	24
	25
	26
	27
	28
	29
	30
II	3
	4
	5
	N. ½ 13
	N. ½ 14
	16
	17
	S. ½ 19
	20
	N. ½ 21
	N. ½ 22
	N. ½ 23
	24
	S. ½ 25
	26
	27
	28
	S. ½ 29
	S. ½ 30
	S. ½ 31
	N. ½ 32
	33
	S. ½ 34
	S. ½ 35
III	N. ½ 1
	N. ½ 2
	3
	4
	5
	6
	7
	N. ½ 8
	N. ½ 9
	N. ½ 10
	N. ½ 11
	12
	S. ½ 13

Concession	Lot
	S. ½ 14
	N. ½ 19
	20
	21
	S. ½ 22
	S. ½ 23
	S. ½ 24
	S. ½ 25
	S. ½ 26
	27
	N. ½ 32
	35
IV	N. ½ 4
	5
	6
	8
	9
	S. ½ 11
	12
	13
	14
	15
	16
	17
	18
	19
	21
	22
	23
	25
	26
	27
	33
	34
V	1
	2
	3
	4
	N. ½ 5
	N. ½ 6
	N. ½ 7
	8
	9
	10
	11
	N. ½ 12
	13
	14
	15
	16
	17
	S. ½ 18
	19
	20
	21
	N. ½ 22
	S. ½ 23
	S. ½ 24
	25
	32
	33
	34
VI	3
	4
	S. ½ 5
	S. ½ 6
	S. ½ 7
	S. ½ 8
	9
	11
	S. ½ 12

Concession	Lot
	14
	15
	16
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	N. ½ 32
	N. ½ 33
	N. ½ 34
VII	S. ½ 1
	S. ½ 2
	3
	4
	5
	6
	7
	8
	9
	N. ½ 10
	N. ½ 11
	N. ½ 12
	N. ½ 13
	N. ½ 14
	N. ½ 15
	N. ½ 16
	N. ½ 17
	N. ½ 18
	19
	20
	S. ½ 25
	26
	27
	29
	S. ½ 31
	32
	33
	N. ½ 34
VIII	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29

Concession	Lot
	30
	N. ½ 31
	32
	33
	S. ½ 34
IX	17
	S. ½ 18
	S. ½ 19
	20
	21
	22
	24
	25
	26
	N. ½ 27
	N. ½ 28
	29
	30
	31
	32
	33
	34
X	S. ½ 25
	S. ½ 26

As shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. GA1-1 to GA1-85, GA1-85A, GA1-86 to GA1-152 all inclusive.

O. Reg. 576/84, Sched. 1.

Schedule 2

In The Regional Municipality of Durham, more particularly described as follows:

In the Town of Newcastle in The Regional Municipality of Durham, formerly in the Township of Clarke, in the United Counties of Northumberland and Durham and being composed of the following lots and parts of lots:

Concession	Lot
A	4
	5
	6
	8
	9
	10
	11
	12
	13
	14
B	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	N. ½ 19
	N. ½ 20
	N. ½ 21
	N. ½ 22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
I	S. ½ 1
	2
	3
	4
	5
	6
	7
	S. ½ 8
	S. ½ 9
	10
	S. ½ 12
	S. ½ 13
	S. ½ 14
	S. ½ 15
	16
	S. ½ 17
	S. ½ 18
	S. ½ 19
	24
	25
	26
	27
	28
	29
	S. ½ 30
	31
	32
II	1
	S. ½ 2
	3
	4
	5
	6
	N. ½ 7
	N. ½ 8
	N. ½ 9
	N. ½ 10
	19
	20
	21
	22
	23
	24
	S. ½ 25
	S. ½ 27
	S. ½ 28
	29
	30
	32
	33
	N. ½ 34
III	1
	2
	N. ½ 3
	4
	5
	S. ½ 6
	S. ½ 7
	S. ½ 8
	N. ½ 9

Concession	Lot
	10
	N. ½ 11
	N. ½ 12
	N. ½ 13
	N. ½ 14
	N. ½ 15
	N. ½ 16
	N. ½ 17
	N. ½ 18
	19
	S. ½ 20
	N. ½ 21
	N. ½ 22
	N. ½ 23
	24
	25
	26
	27
	28
	29
	N. ½ 30
	31
	32
IV	1
	2
	3
	4
	5
	6
	S. ½ 7
	S. ½ 8
	9
	10
	11
	12
	13
	19
	S. ½ 20
	S. ½ 21
	S. ½ 22
	23
	N. ½ 24
	N. ½ 25
	26
	27
	28
	29
	30
	31
	32
V	N. ½ 1
	N. ½ 2
	3
	S. ½ 8
	S. ½ 9
	S. ½ 10
	S. ½ 11
	S. ½ 13
	S. ½ 14
	15
	16
	N. ½ 17
	18
	19
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
VI	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	S. ½ 23
	S. ½ 24
	S. ½ 26
	27
	28
	31
	32
	33
VII	S. ½ 1
	2
	3
	4
	5
	S. ½ 8
	9
	10
	S. ½ 11
	S. ½ 12
	S. ½ 13
	14
	15
	16
	17
	18
	19
	20
	27
	N. ½ 28
	29
	30
	31
	32
VIII	S. ½ 5
	6
	7
	N. ½ 8
	N. ½ 9
	S. ½ 20
	S. ½ 21
	S. ½ 26
	28
	29
	30
	31
	32

As shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. GA2-1 to GA2-118, both inclusive. O. Reg. 576/84, Sched. 2.

Schedule 3

In the County of Northumberland, more particularly described as follows:

In the Town of Coburg, in the County of Northumberland, formerly in the Township of Hamilton in the County of Northumberland and being composed of the following lots and part lots:

CONCESSION	LOT
A	S. ½ 9 S. ½ 10 11 12 13 14 N. ½ 15 16 17 N. ½ 18 19 20 S. ½ 21 S. ½ 22 S. ½ 23
B	9 10 13 16 17 19 20
I	S. ½ 14 S. ½ 15 S. ½ 16 S. ½ 17 S. ½ 18 S. ½ 19 S. ½ 20

As shown delineated by a line designated as the "Fill Line" on maps filed in the office of the Central Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. GA3-1 to GA3-13 and identified by the stamp of the Registrar of Regulations dated the 14th day of June, 1989. O. Reg. 544/89, s. 1.

REGULATION 149

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—GRAND RIVER

1. In this Regulation,

"Authority" means the Grand River Conservation Authority;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"mm" means millimetres;

"regional storm" means a storm producing in a forty-eight hour period in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rainfall such that the number of mm of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority.

TABLE 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour
53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (in square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7
2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

O. Reg. 154/86, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 154/86, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill, or permit fill to be placed or dumped, permanently or temporarily, in the areas described in the Schedules whether such fill is already located in or upon such area or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 154/86, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority in writing may permit the construction of any building or structure, or the placing or dumping of fill, or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse, to which section 3 applies if, in the opinion of the Authority, the construction, the placing or dumping or the straightening, changing, diverting or interfering will not affect the control of flooding or pollution or the conservation of land. O. Reg. 154/86, s. 4.

5. No person shall commence to construct any building or structure, or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, lake, creek, stream or watercourse, in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 154/86, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include four copies of,

(a) a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) a complete description of the type of building or structure to be constructed, including drainage details;

(c) a statement of the dates between which the construction will be carried out; and

(d) a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include four copies of,

(a) a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) a complete description of the type of fill proposed to be placed or dumped;

(c) a statement of the dates between which the placing or dumping will be carried out; and

(d) a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse shall be filed with the Authority and shall include four copies of,

(a) a plan on which shall be shown in plan view and cross section the details of the straightening, change, diversion or interference;

(b) a description of the protective measures to be undertaken;

(c) a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) a statement of the purpose of the proposed work. O. Reg. 154/86, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation if, in the opinion of the Authority, the representations contained in the application for permission are not complied with. O. Reg. 154/86, s. 7.

8. Members of the staff of the Authority are appointed as officers to enforce this Regulation. O. Reg. 154/86, s. 8.

Schedule 1

ROSEVILLE SWAMP-CEDAR CREEK—BLAIR CREEK

That part of the watersheds of Blair and Cedar Creeks within the fill line as outlined by a line and cross-hatched on maps GR-1 and GR-2, dated September 1968, and GR1-3 to GR1-7, both inclusive, dated July 1968, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in The Regional Municipality of Waterloo, more particularly described as follows:

1. In the Township of North Dumfries:

CONCESSION	LOT
VIII	parts of 29 to 34, both inclusive
IX	parts of 26 to 31, both inclusive
X	parts of 26 to 31, both inclusive
XI	parts of 25 to 28, both inclusive
XII	parts of 22 to 35, both inclusive

2. In the City of Cambridge, (formerly Village of Blair, in the Township of Waterloo, County of Waterloo):

CONCESSION	LOT
formerly in Beasley's Old Survey	parts of 3 to 7, both inclusive

3. In the City of Kitchener, (formerly in the Township of Waterloo, County of Waterloo):

CONCESSION	LOT
formerly in Beasley's New Survey	parts of 1 and 2
formerly in Beasley's Old Survey	parts of 7 and 8

O. Reg. 154/86, Sched. 1.

Schedule 2

OAKLAND SWAMP—McKENZIE CREEK

That part of the watersheds of Oakland Swamp and McKenzie Creek within the fill line as outlined by a line and cross-hatched on maps GR2-1 to GR2-7, both inclusive, dated August 1968, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in the County of Brant, more particularly described as follows:

1. In the Township of Oakland:

CONCESSION	LOT
I	parts of 1 to 12, both inclusive
II	parts of 1 to 9, both inclusive
III	all of 2, parts of 1 and 3
IV	all of 2, parts of 1 and 3 to 5, both inclusive
V	all of 3 to 5, both inclusive and parts of 1, 2 and 6
VI	all of 3, part of 2

2. In the Township of Brantford:

CONCESSION	LOT	BLOCK
V	parts of 3 to 8, both inclusive	
Kerr Tract		parts of 1 to 4, both inclusive
Mair Tract		parts of 5
Range West II of Mount Pleasant		parts of 1 to 3, both inclusive

O. Reg. 154/86, Sched. 2.

Schedule 3

GALT CREEK—MOFFAT CREEK

That part of the watersheds of Galt and Moffat Creeks within the fill line as outlined by a line and cross-hatched on maps GR3-1 to GR3-6, both inclusive, dated August 1970, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in The Regional Municipality of Waterloo and in the County of Wellington, more particularly described as follows:

1. In the City of Cambridge, in The Regional Municipality of Waterloo, (formerly the Township of North Dumfries in the County of Waterloo):

CONCESSION	LOT
X	parts of 1 to 5, both inclusive
XI	parts of 1 and 2
XII	parts of 1 to 6, both inclusive

2. In the Township of North Dumfries in The Regional Municipality of Waterloo:

CONCESSION	LOT
IX	parts of I, 1 and 2
X	parts of I, J, 1 and 2

3. In the Township of Puslinch in the County of Wellington:

CONCESSION	LOT
I	parts of 1 to 3, both inclusive
Gore	parts of 2 to 8, both inclusive

O. Reg. 154/86, Sched. 3.

Schedule 4

HOPEWELL CREEK—WEST BRANCH

That part of the watershed of the West Branch of Hopewell Creek within the fill line as outlined by a line and cross-hatched on maps GR4-1 to GR4-4, both inclusive, dated August 1970, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in The Regional Municipality of Waterloo, more particularly described as follows:

1. In the Township of Woolwich:

CONCESSION	LOT
II	parts of 5 and 6
III	part of 3
James Wilson's Tract	parts of 3, 5 and 11
Beasley's Upper Block	parts of 67, 69, 70, 72 to 76, both inclusive, 78, 81, 82 and 107
north of Horning's Tract	part of Small lots
part of Peter Horning's Tract	
south of Horning's Tract	part of Small lots

O. Reg. 154/86, Sched. 4.

Schedule 5

HANLON CREEK

That part of the watershed of Hanlon Creek within the fill line as outlined by a line and cross-hatched on maps GR5-1 to GR5-8, both inclusive, dated June 1963, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in the County of Wellington, more particularly described as follows:

1. In the City of Guelph, (formerly in the Township of Puslinch):

CONCESSION	LOT
V	parts of 15 to 17, both inclusive
VI	parts of 12 to 16, both inclusive
VII	parts of 1 to 9, both inclusive

O. Reg. 154/86, Sched. 5.

Schedule 6

HOPEWELL CREEK

That part of the watershed of Hopewell Creek within the fill line as outlined by a line and cross-hatched on maps GR6-1 to GR6-6, both inclusive, dated August 1972, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of

all the land and premises being in the County of Wellington, more particularly described as follows:

1. In the Township of Woolwich, in The Regional Municipality of Waterloo:

CONCESSION	LOT
Beasley's Upper Block	parts of 81 to 83, both inclusive, 98 to 100, both inclusive, 107, 108 and 114
part of Peter Horning's Tract	
German Company Tract north of Horning's Tract	parts of Small lots
German Company Tract south of Horning's Tract	parts of Small lots

2. In the Township of Pilkington in the County of Wellington:

CONCESSION	LOT
III, south of Grand River	parts of 17 and 18
IV, south of Grand River	parts of 18
V, south of Grand River	parts of 18

3. In the Township of Guelph in the County of Wellington:

CONCESSION	LOT
I in Division B	parts of 21 to 23, both inclusive
II in Division B	parts of 21 to 23, both inclusive
III in Division D	parts of 22 to 26, both inclusive
IV in Division D	parts of 12 to 27, both inclusive
V in Division D	parts of 12, 13, 15 to 20, both inclusive, and 25 to 29, both inclusive
VI in Division D	parts of 18 to 26, both inclusive

O. Reg. 154/86, Sched. 6.

Schedule 7

CLAIR CREEK

That part of the watershed of Clair Creek within the fill line as outlined by a line and cross-hatched on maps GR7-1 to GR7-3, both inclusive, dated August 1972, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and being in The Regional Municipality of Waterloo, more particularly described as follows:

1. In the City of Waterloo, (formerly in the Township of Waterloo):

CONCESSION	LOT
formerly in Beasley's Upper Block	parts of 30 to 33, both inclusive, and 41 to 43, both inclusive

2. In the City of Waterloo:

CONCESSION	REGISTERED PLANS
i. those parts being composed of the following Registered Plans	parts of 496, 1185, 1209, 1336, 1397, 1351, 1412, 1427, 1435
ii. part of the parkland bounded by the following Registered Plans	parts of 696, 1345, 1350, 1362, 1378, 920, 1008, 1285, 1379 and 1438
iii. that part enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of Erb Street and Westmount Road, thence southerly along the Westmount Road to the City Limits, thence westerly along the City Limits to the northern end of Silvercrest Drive, thence northerly along a line projected northerly to the intersection of Mulberry Lane and Culpepper Drive, thence northerly along Mulberry Lane to Erb Street, thence easterly along Erb Street to the point of commencement.	

O. Reg. 154/86, Sched. 7.

Schedule 8

LAUREL CREEK

That part of the watershed of Laurel Creek within the fill line as outlined by a line and cross-hatched on maps GR8-1 to GR8-6, both inclusive, dated September 1968, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in The Regional Municipality of Waterloo, more particularly described as follows:

1. In the Township of Wellesley:

CONCESSION	LOT
II of the East Section	parts of 1 to 2
IV of the East Section	parts of 1 to 3, both inclusive
V of the East Section	parts of 1 to 3, both inclusive
VI of the East Section	parts of 2
Block A	parts of 1 to 5, both inclusive

2. In the Township of Woolwich:

	LOT
	parts of 17, 26, 30

3. In the Township of Wilmot:

CONCESSION	LOT
I in Block B	parts of 1 to 4, both inclusive
II in Block B	parts of 1 to 4, both inclusive
III in Block B	parts of 1 to 3, both inclusive
north of Erb Road	parts of lots 1 to 3, both inclusive

4. City of Kitchener, (formerly the Village of Bridgeport):

part of the Village

5. City of Kitchener, (formerly the Township of Waterloo):

	LOT
	parts of 59, west of the Grand River

6. City of Waterloo, (in the former Township of Waterloo):

CONCESSION	LOT
formerly in Beasley's Upper Block	parts of lots 26 to 30, both inclusive, and 43 to 45, both inclusive

7. City of Waterloo:

Those parts being composed of:

i. Part of the area enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of University Avenue and Bridge Street, thence southerly along Bridge Street to the City Limits, thence westerly along the City Limits and a line projected westerly across the Conestoga Parkway to Bluevale Street, thence northwesterly along Bluevale Street to Harvard Place and a line projected northerly to University Avenue thence easterly to the point of commencement.

ii. Part of the area enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of Lexington Road and the Conestoga Parkway, thence southerly along the Conestoga Parkway to University Avenue, thence westerly along University Avenue to Marsland Drive, thence northerly along Marsland Drive and a line projected northerly to Lexington Road, thence easterly to the point of commencement.

iii. Part of the area enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of University Avenue and Carter Avenue, thence southerly along Carter Avenue to Marshal Street, thence easterly along Marshal Street to Lincoln Road, thence southwesterly along Lincoln Road to Weber Street, thence northwesterly along Weber Street to University Avenue, thence easterly along University Avenue to the point of commencement.

iv. Part of the area enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of Mackay Crescent and Weber Street, thence southeasterly along Weber Street to Bridgeport Road, thence westerly along Bridgeport Road to Laurel Street to Pepplar Street, thence northerly along Pepplar Street to Young Street, thence easterly along a line projected easterly from the intersection of Young Street and Pepplar Street to the point of commencement.

v. Part of the area enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of Erb Street and Willow Street, thence southerly along Willow Street to William Street, thence westerly on William Street to Herbert Street, thence northwesterly on Herbert Street to King Street, thence northerly along King Street to Erb Street to the point of commencement.

vi. Part of the area enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of Albert Street and Caroline Street, thence southerly along Caroline Street to Erb Street, thence southwesterly along Erb Street to Canbar Street, thence northwesterly to the end of Canbar Street, thence westerly along a projected line westerly to the intersection of Westcourt Place and Westmount Road, thence northerly along Westmount Road to University Avenue, thence along University Avenue to Seagram Drive, thence easterly along Seagram Drive to Albert Street, thence southerly on Albert Street to the point of commencement.

vii. Part of the area enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of Columbia Street and the Canadian National Railway right-of-way, thence southeasterly along the railway right-of-way to University Avenue, thence southwesterly along University Avenue to Westmount Road, thence northwesterly along Westmount Road to Columbia Street, thence easterly along Columbia Street to the point of commencement.

viii. Part of the area enclosed within the following irregular boundaries, commencing at the northeast angle being the intersection of Beaver Creek Road and Bearinger Road, thence easterly along Bearinger Road to the Canadian National Railway right-of-way to Columbia Street, thence westerly on Columbia Street to Hallman Road to Beaver Creek Road, thence northeasterly along Beaver Creek Road to the point of commencement.

O. Reg. 154/86, Sched. 8.

Schedule 9

DEVIL'S CREEK

That part of the watershed of Devil's Creek within the fill line as outlined by a line and cross-hatched on map GR9-1, dated August 1973, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in The Regional Municipality of Waterloo, more particularly described as follows:

1. In the City of Cambridge (formerly the Township of North Dumfries):

CONCESSION	LOT
XI	parts of 12 and 13 and Subdivision lots 2 and 3
XII	parts of Subdivision lots 1 and 2

O. Reg. 154/86, Sched. 9.

Schedule 10

CHILLICO CREEK

That part of the watershed of Chillico Creek within the fill line as outlined by a line and cross-hatched on maps GR10-1 to GR10-5, both inclusive, dated September 1968, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in the County of Wellington and in The Regional Municipality of Waterloo, more particularly described as follows:

1. In the Township of Guelph in the County of Wellington:

CONCESSION	LOT
I, Division B	parts of 17 to 18, both inclusive
II, Division B	parts of 6 to 13, both inclusive, 16 and 17
III, Division B	parts of 5 to 10, both inclusive and 12 to 16, both inclusive
IV, Division B	parts of 2 to 14, both inclusive
V, Division B	parts of 2 to 5, both inclusive

2. In the City of Guelph, (formerly the Township of Guelph), in the County of Wellington:

CONCESSION	LOT
formerly in I, Division B	parts of 7 to 9, both inclusive

3. In the Township of Woolwich in The Regional Municipality of Waterloo:

CONCESSION	LOT
Beasley's Upper Block	parts of 85 to 89, both inclusive, 92 to 96, both inclusive and 104 and 105

4. In the City of Cambridge, (formerly in the Township of Waterloo), in The Regional Municipality of Waterloo:

CONCESSION	LOT
formerly in Beasley's Upper Block	parts of 89 to 91, both inclusive, 101 and 126 to 128, both inclusive
formerly in the Middle Block	parts of Bricker Lot or Lot 1
formerly in I	parts of 13
formerly in II	parts of 10 to 13, both inclusive

5. In the City of Cambridge, (formerly in the Town of Hespeler), in The Regional Municipality of Waterloo:

That part of the Town of Hespeler northwest of the Speed River

O. Reg. 154/86, Sched. 10.

Schedule 11

GRAND RIVER

That part of the watershed of Grand River within the fill line as outlined and cross-hatched on maps GR11-1 to GR11-8, both inclusive, dated April 23, 1980, filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, comprised of all the land and premises being in The Regional Municipality of Waterloo, more particularly described as follows:

1. In the Township of Woolwich:

CONCESSION	LOT
XIV of Hitching's Tract	parts of 1 to 7, both inclusive, parts of 64 to 67, both inclusive and 71 to 75, both inclusive
Broken Front Concession west of Grand River	parts of 1 to 3, both inclusive
Broken Front Concession east of Grand River, Crook's Tract, Chalmer's Lot	parts of 1 to 7, both inclusive
west of Grand River	parts of 1 to 3, both inclusive
James Wilson's Tract	parts of 3, 5 to 7, both inclusive, 9, 11, 68, 70 and 71
part of Peter Horning's Tract	
part of Small Lots in the German Company Tract north of Peter Horning's Tract	
German Company Tract	parts of 111 to 116, both inclusive

2. In the City of Waterloo:

That part between Woolwich Street and the Grand River

3. In the City of Kitchener, (formerly the Township of Waterloo):

CONCESSION	LOT
formerly in Beasley's Block	parts of 12, 53, 59 and 117 to 124, both inclusive
formerly in Beasley's Old Survey	parts of 11
formerly in Beasley's Broken Front Concession	parts of 8 to 14, both inclusive
formerly in Bean's Unnumbered Tract	

4. In the City of Kitchener, (formerly the Village of Bridgeport):

i.	That part between Woolwich Street and the Grand River
ii.	That part between Regional Road 52 and the Grand River
iii.	That part between Bridge Street and the Grand River

5. In the City of Kitchener:

i.	That part between Lancaster Street and the Grand River
ii.	That part between Conestoga Parkway and the Grand River
iii.	That part between River Road and the Grand River

6. In the City of Cambridge:

That part between Riverbank Drive and the Grand River

O. Reg. 154/86, Sched. 11.

Schedule 12

BEVERLY SWAMP—FAIRCHILD CREEK

That part of the watershed of Fairchild Creek extending from the Township of North Dumfries in The Regional Municipality of Waterloo to the Town of Flamborough in The Regional Municipality of Hamilton-Wentworth that affects the following lots as shown delineated by the fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, as Maps GR12-1 and GR12-2 and identified by the stamp of the Registrar of Regulations dated the 29th day of September, 1988.

1. In the Township of North Dumfries in The Regional Municipality of Waterloo:

Concession	Lot
VIII	parts of 9 to 11, both inclusive
IX	parts of 8 to 11, both inclusive

2. In the Town of Flamborough in The Regional Municipality of Hamilton-Wentworth:

Concession	Lot
VII	parts of 21 and 22
VIII	parts of 12 to 24, both inclusive
IX	parts of 12 to 17, both inclusive and 19 to 21, both inclusive

O. Reg. 631/88, s. 1, *part.*

Schedule 13

PUSLINCH LAKE—IRISH CREEK

That part of the watershed of Irish Creek within the Township of Puslinch, in the County of Wellington, that affects the following lots as shown delineated by the fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario as Maps GR13-1 to GR13-4 and identified by a stamp of the Registrar of Regulations dated the 29th day of September, 1988.

1. In the Township of Puslinch in the County of Wellington:

Concession	Lot
I	2 through 6, both inclusive
II	2 through 6, both inclusive

O. Reg. 631/88, s. 1, *part.*

REGULATION 150

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—HALTON REGION CONSERVATION AUTHORITY

1. In this Regulation,

"Authority" means the Halton Region Conservation Authority;

"construct" means to do anything in the erection, installation, extension, material alteration or repair of a building or structure and includes the installation of a building unit fabricated or moved from elsewhere, and "construction" has a corresponding meaning;

"drainage area" means, for a point, the area that contributes runoff to that point;

"fill" means any material, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means a storm producing in a forty-eight hour period, in a drainage area of,

(a) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

Table 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour
53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

Table 2

Column 1	Column 2
Drainage Area (in square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1,000 both inclusive	80.8
1,001 to 1,200 both inclusive	79.3

O. Reg. 253/89, s. 1, *part.*

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 253/89, s. 2.

3. Unless permission has been obtained under section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in any pond, swamp or area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. O. Reg. 253/89, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may approve and authorize in writing the issuing of a permit for the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 253/89, s. 4.

5.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates when the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 253/89, s. 5.

6. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for permission are not carried out or the conditions of the permit are not complied with. O. Reg. 253/89, s. 6.

7. The Authority may appoint officers to enforce this Regulation. O. Reg. 253/89, s. 7.

Schedule 1

Sixteen Mile Creek

In The Regional Municipality of Halton described as follows:

1. In the Town of Oakville, Regional Municipality of Halton, and being composed of part or all of the following lots:

Concession	Lot
I S.D.S.	18 19 20 21 22 23
II S.D.S.	16 17 18 19 20
III S.D.S.	14 15 16

As shown delineated by the Fill Line on maps numbered HAL-1-T1 to HAL-1-T4 filed in the Regional Office of the Ministry of Natural Resources, Richmond Hill, Ontario.

O. Reg. 253/89, Sched. 1.

Schedule 2

Bronte Creek, Upper Middle Road to Lake Ontario

In The Regional Municipality of Halton described as follows:

1. In the Town of Oakville, Regional Municipality of Halton, and being composed of part or all of the following lots:

Concession	Lot
II	31 32 33 34
III	31 32
IV	29 30 31

As shown delineated by the Fill Line on maps numbered HAL-2-T1

to HAL-2-T3 filed in the Regional Office of the Ministry of Natural Resources, Richmond Hill, Ontario.

O. Reg. 253/89, Sched. 2.

Schedule 3

Grindstone Creek

In The Regional Municipality of Hamilton-Wentworth and The Regional Municipality of Halton described as follows:

1. In the Town of Flamborough (formerly in the Township of West Flamborough), Regional Municipality of Hamilton-Wentworth, and being composed of part or all of the following lots:

CONCESSION	LOT
IV	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21
V	9 10 11 12 13 14 15 16 17 18 19
VI	8 9 10 11 12 13 14 15 16 17
VII	10 11 12 13

2. In the Town of Flamborough (formerly East Flamborough), Regional Municipality of Hamilton-Wentworth, and being part of or all of the following lots:

CONCESSION	LOT
III	1 2 3 4 5 6
	7 8 9 10 11 12
IV	1 2 3 4 5 6 7
V	1 2 3 4 5 6 7 8 9 10 11 12 13
VI	1 2 3 4 5 6 7 8 9 10 11 12 13
VII	4 5 6 7 8 9 10 11 12 13
VIII	10 11 12 13
IX	12 13

3. In the Town of Dundas (formerly West Flamborough), Regional Municipality of Hamilton-Wentworth, and being part of or all of the following lots:

CONCESSION	LOT
I	23 24 25 26

CONCESSION	LOT
	27 28 29
II	23 24 25 26 27 28 29

4. In the City of Burlington, Regional Municipality of Halton, and being part of or all of the following lots:

CONCESSION	LOT
I NDS	19 20 21 22 23 24
II NDS	15 16 17 18 19 20 21 22 23 24

5. In the City of Burlington (formerly Nelson), Regional Municipality of Halton, and being part of or all of the following lots:

CONCESSION	LOT
I	1 2
II	1

6. In the City of Burlington (formerly East Flamborough), Regional Municipality of Halton, and being part of or all of the following lots:

CONCESSION	LOT
I	5 6 7 8 9 10 11 12 13
II	5 6 7 8 9 10 11 12 13

As shown delineated by the Fill Line on maps numbered HAL-3-P1 to HAL-3-P23 and HAL-3-P25 to HAL-3-P32 and HAL-3-T1 to HAL-3-T38 filed in the Regional Office of the Ministry of Natural Resources, Richmond Hill, Ontario.

O. Reg. 253/89, Sched. 3.

Schedule 4

Sixteen Mile Creek Urban Milton

In The Regional Municipality of Halton described as follows:

1. In the Town of Milton, Regional Municipality of Halton, and being composed of part or all of the following lots:

CONCESSION	LOT
I N.S.	15
II N.S.	11 12 13 14 15
III N.S.	11 12 13 14 15
III (formerly in the Township of Esquesing	1 2

The Town of Milton according to Teetzel's Survey and the Town of Milton according to Foster's Survey.

As shown delineated by the Fill Line on maps numbered HAL-4-T1 to HAL-4-T5 filed in the Regional Office of the Ministry of Natural Resources, Richmond Hill, Ontario.

O. Reg. 253/89, Sched. 4.

Schedule 5

Bronte Creek

In The Regional Municipality of Halton and The Regional Municipality of Hamilton-Wentworth and the County of Wellington described as follows:

1. In the Township of Puslinch, County of Wellington, and being composed of part or all of the following lots:

CONCESSION	LOT
Gore	39
VII	30 31
VIII	29 30 31 32 33 34 35 36 37
IX	27 28 29 30

CONCESSION	LOT
	31
	32
	33
	34
	35
	36
	37
X	28
	29
	30
	31
	32
	33
	34
	35
	36
	37
XI	28
	29
	30
	31
	32
	33
	34
	36
	37

2. In the Town of Flamborough (formerly in the Township of West Flamborough), Regional Municipality of Hamilton-Wentworth, and being composed of part or all of the following lots:

CONCESSION	LOT
VII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
VIII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
IX	2
	3
	4
	5
	6
XI	1
	2

3. In the Town of Flamborough (formerly in the Township of East Flamborough), Regional Municipality of Hamilton-Wentworth, and being composed of part or all of the following lots:

CONCESSION	LOT
V	1
VI	1
VII	4
	5
VIII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
IX	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
X	1
	2
	3
	4
	5
	6
	8
	9
	10
	11
	12
	13
XI	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
XII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
XIII	1
	2
	3
	4
	5

CONCESSION	LOT
	6
	7
	8
	9
	10
	11
	12
XIV	1
	2
	3
	4
	5
	7
	8
	9
	11
	12

4. In the Town of Flamborough (formerly in the Township of Beverly), Regional Municipality of Hamilton-Wentworth, and being composed of part or all of the following lots:

CONCESSION	LOT
VII	33
	34
	35
	36
VIII	33
	34
	35
	36

5. In the Town of Milton (formerly in the Township of Nassagaweya), Regional Municipality of Halton, and being composed of part or all of the following lots:

CONCESSION	LOT
I	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
II	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
	20
	21
III	1
	2
	3
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
	20
	21
IV	1
	2
	3
	8
	9
	10
	11
	12
	13
	17
	18
	19
	20
	21
	22
	23
V	1
	2
	3
	21
	22
VI	1
	2

6. In the City of Burlington (formerly in the Township of Nelson), Regional Municipality of Halton, and being composed of part or all of the following lots:

CONCESSION	LOT
I	1
	2
	3
	4
	5
	6
	7
	8
	9
	10

CONCESSION	LOT
II	3 4 5 6 7 8 9 10
III	3 4 5 6 7 8 9 10
IV	1 2 3 4 5 6 7 8 9 10
V	1 2 3 4 5 6 7 8 9 10
VI	1 2 3 4 5 6 7 8 9 10

7. In the Town of Milton (formerly in the Township of Nelson), Regional Municipality of Halton, and being composed of part or all of the following lots:

CONCESSION	LOT
I	11 12 13 14 15
II	11 12 13 14 15
III	11 12
	13 14 15
IV	11 12 13 14 15
V	11 12 13 14 15
VI	11 12
VII	1 2 3 4 5 6 7 8 9 10 11 12 13 14

8. In the Town of Milton (formerly in the City of Burlington), Regional Municipality of Halton, and being composed of part or all of the following lots:

CONCESSION	LOT
II NDS	1 2 3 4

9. In the Town of Milton (formerly in the Township of Trafalgar), Regional Municipality of Halton, and being composed of part or all of the following lots:

CONCESSION	LOT
I	1 2 3 4 5 6 7 8 9 10 11 12 13 14
II	3 4 5

10. In the Town of Oakville, Regional Municipality of Halton, and being composed of part or all of the following lots:

CONCESSION	LOT
I SDS	34 35
II SDS	33 34 35

11. In the City of Burlington, Regional Municipality of Halton, and being composed of part or all of the following lots:

CONCESSION	LOT
I NDS	2 3 4 5
II NDS	4 5 6 7 8 9 10 11 12 13 14 15 16 22 23
I SDS	1 2 3 4

As shown delineated by the Fill Line on maps numbered

HAL-5-P1 to HAL-5-P16
HAL-5-P18 to HAL-5-P27
HAL-5-P29 to HAL-5-P38
HAL-5-P41 to HAL-5-P50
HAL-5-P53 to HAL-5-P73
HAL-5-T1 to HAL-5-T7
HAL-5-T9 to HAL-5-T22
HAL-5-T24 to HAL-5-T29
HAL-5-T32
HAL-5-T34 to HAL-5-T58
HAL-5-T60 to HAL-5-T77
HAL-5-T79 to HAL-5-T85
HAL-5-T87 to HAL-5-T97
HAL-5-T99 to HAL-5-T113
HAL-5-T115
HAL-5-T116

filed in the Regional Office of the Ministry of Natural Resources, Richmond Hill, Ontario.

O. Reg. 253/89, Sched. 5.

REGULATION 151

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—HAMILTON REGION

1. In this Regulation,

"Authority" means the Hamilton Region Conservation Authority;

"building" means a building or structure of any kind;

"drainage area" means, for a point, the area that contributes runoff to that point;

"fill" means any material, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contour of the ground;

"regional storm" means a storm producing in a forty-eight hour period, in a drainage area of,

(a) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority.

TABLE 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour
53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (in square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7

Column 1	Column 2
Drainage Area (in square kilometres)	Percentage
2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

O. Reg. 617/86, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or conservation of land may be affected by the placing or dumping of fill. O. Reg. 617/86, s. 2.

3. No person shall,

(a) construct any building or permit any building to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon the area or brought to or on the area from some other place; or

(c) straighten, change, divert or interfere or permit the straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse,

except pursuant to a permit given under section 4. O. Reg. 617/86, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 617/86, s. 4.

5.—(1) A signed application for permission to construct a building must be filed with the Authority and include four copies of,

(a) a plan of the property showing the proposed location of the building, its elevation and the proposed final grade plan;

(b) a complete description of the type of building to be constructed, including drainage details and the method of construction;

(c) a statement of the dates between which the construction will be carried out; and

(d) a statement of the proposed use of the building following completion of the construction.

(2) A signed application for permission to place or dump fill must be filed with the Authority and include four copies of,

(a) a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) a statement of the dates between which the placing or dumping will be carried out; and

(d) a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse must be filed with the Authority and include four copies of,

(a) a plan on which shall be shown in plan view and cross section the details of such straightening, changing, diverting or interfering;

(b) a description of the protective measures to be undertaken and the method to be used to carry out such straightening, changing, diverting or interfering;

(c) a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) a statement of the purpose of the proposed work. O. Reg. 617/86, s. 5.

6. The Authority may, at any time, withdraw a permission given under section 4 if the representations contained in the application for permission are not being carried out. O. Reg. 617/86, s. 6.

7. The Authority may appoint officers to enforce this Regulation. O. Reg. 617/86, s. 7.

Schedule 1

TOWN OF DUNDAS

That part of the Municipality of the Town of Dundas, The Regional Municipality of Hamilton-Wentworth within the fill line as outlined by a continuous solid line on maps HamR 1-1 to HamR 1-9, both inclusive, all maps dated December 5, 1985 of the maps entitled "Town of Dundas" filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, more particularly described as follows:

1. The valley containing Spencer Creek and its tributaries within the Town of Dundas.
2. The valley containing Sydenham Creek and its tributaries within the Town of Dundas.
3. The valley containing Ann Street Creek and its tributaries within the Town of Dundas.
4. The valley containing Sulphur Creek and its tributaries within the Town of Dundas.
5. The valley containing Spring Creek and its tributaries within the Town of Dundas.
6. The valley containing Borer's Creek and its tributaries within the Town of Dundas.
7. The valley containing Cootes Paradise within the Town of Dundas. O. Reg. 617/86, Sched. 1.

Schedule 2

CITY OF STONEY CREEK

That part of the municipality of the City of Stoney Creek, The Regional Municipality of Hamilton-Wentworth within the fill line as outlined by a continuous solid line on maps HamR 2-1 to HamR 2-5l, both inclusive, all maps dated March 10, 1974 of the maps entitled

"City of Stoney Creek" filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, more particularly described as follows:

1. The valley containing Stoney Creek and Battlefield Creek and its tributaries within the City of Stoney Creek.

2. The valleys containing Drainage Courses #3 to #15, both inclusive, and tributaries within the City of Stoney Creek.

3. Certain sections of the Niagara Escarpment within the City of Stoney Creek. O. Reg. 617/86, Sched. 2.

Schedule 3

TOWN OF ANCASTER

That part of the Municipality of the Town of Ancaster, The Regional Municipality of Hamilton-Wentworth within the fill line as shown by a continuous solid line on maps HamR 3-1 to HamR 3-11, both inclusive, all maps dated December 5, 1985 of the maps entitled "Town of Ancaster" filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, more particularly described as follows:

1. The valley containing Ancaster Creek and its tributaries in the Town of Ancaster.

2. The valley containing Tiffany Creek and its tributaries in the Town of Ancaster.

3. The valley containing Chedoke Creek and its tributaries in the Town of Ancaster.

4. The valley containing Sulphur Creek and its tributaries in the Town of Ancaster.

5. The valley containing Spring Creek and its tributaries in the Town of Ancaster. O. Reg. 617/86, Sched. 3.

Schedule 4

CITY OF HAMILTON

That part of the Municipality of the City of Hamilton, The Regional Municipality of Hamilton-Wentworth within the fill line as outlined by a continuous solid line on maps HamR 4-1 to HamR 4-25, both inclusive, all maps dated July 24, 1968 of the maps entitled "City of Hamilton" filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill, Ontario, more particularly described as follows:

1. The valley containing Sulphur Creek and its tributaries within the City of Hamilton.

2. The valley containing Chedoke Creek within the City of Hamilton.

3. The valley containing Red Hill Creek and its tributaries within the City of Hamilton.

4. The valley containing Spencer Creek and its tributaries within the City of Hamilton.

5. The valley containing Sterling Creek ravine within the City of Hamilton.

6. The valley containing Cootes Paradise within the City of Hamilton.

7. Certain sections of the Niagara Escarpment within the City of Hamilton. O. Reg. 617/86, Sched. 4.

Schedule 5

HAMILTON HARBOUR

That part of the Hamilton Harbour within the Municipality of the City of Hamilton, The Regional Municipality of Hamilton-Wentworth located within the jurisdiction of the Hamilton Region Conservation Authority. O. Reg. 617/86, Sched. 5.

Schedule 6

TOWN OF FLAMBOROUGH

That part of the Municipality of the Town of Flamborough, The Regional Municipality of Hamilton-Wentworth within the fill line as outlined by a continuous solid line on maps HamR 6-1 to HamR 6-98, both inclusive, all maps dated March 10, 1977 of the maps entitled "Town of Flamborough" filed in the Regional Office of the Ministry of Natural Resources, Richmond Hill, Ontario, more particularly described as follows:

1. The valley containing Spencer Creek and its tributaries within the Town of Flamborough.

2. The valley containing Sydenham Creek and its tributaries within the Town of Flamborough.

3. The valley containing Borer's Creek and its tributaries within the Town of Flamborough.

4. The valley containing Spring Creek and its tributaries within the Town of Flamborough.

5. Certain sections of the Niagara Escarpment within the Town of Flamborough.

6. Certain sections of the Beverly Swamp within the Town of Flamborough. O. Reg. 617/86, Sched. 6.

REGULATION 152

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—KETTLE CREEK

1. In this Regulation,

"Authority" means the Kettle Creek Conservation Authority;

"drainage area" means, for a point, the area that contributes runoff to that point;

"fill" means earth, sand, gravel, building materials, storage materials, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"mm" means millimetres;

"regional storm" means a storm producing in a forty-eight hour period in a drainage area of,

(a) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour
53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (km^2)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7
2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

O. Reg. 446/86, s. 1

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 446/86, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill, or permit fill to be placed or dumped, permanently or temporarily, in the areas described in the Schedules; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 446/86, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure, or the placing or dumping of fill, or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse, to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping of fill and the method of construction or placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel will not affect the control of the flooding or pollution or the conservation of land. O. Reg. 446/86, s. 4.

5. No person shall commence to construct any building or structure, or dump or place fill, or straighten, change, divert or interfere with the existing channel of a river, lake, creek, stream or watercourse, in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 446/86, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include four copies of,

(a) a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) a complete description of the type of building or structure to be constructed, including drainage details and the method of construction;

(c) a statement of the dates between which the construction will be carried out; and

(d) a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include four copies of,

(a) a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) a statement of the dates between which the placing or dumping will be carried out; and

(d) a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse shall be filed with the Authority and shall include four copies of,

(a) a plan on which shall be shown in plan view and cross section the details of the straightening, change, diversion or interference;

(b) a description of the protective measures to be undertaken and the method to be used to carry out such straightening, changing, diversion or interference;

(c) a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) a statement of the purpose of the proposed work. O. Reg. 446/86, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for permission are not complied with. O. Reg. 446/86, s. 7.

8. The Authority may appoint, from time to time, officers to enforce this Regulation. O. Reg. 446/86, s. 8.

Schedule 1

That portion of the area under the jurisdiction of the Authority within the fill lines as outlined by a solid line on maps filed with the Regional Office of the Ministry of Natural Resources at London as numbers KC1-1, KC1-2, KC1-4, KC1-5, KC1-7, KC1-8, KC1-10 to KC1-13, both inclusive, and KC1-15 to KC1-17, both inclusive, dated 1970 as follows:

1. In the eastern portion of the Township of Southwold, County of Elgin, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

Registered Plan	Lot
34	1-9 both inclusive
259	12-25 both inclusive
274	21-40 both inclusive

Concession	Lot
Range 1 East River Road	8
	9
Range 2 East River Road	7-10 both inclusive
North Talbot Road East	42
	44
	45
	B-D
North Talbot Road East Gore	A
Gore	B
South Talbot Road East	40-45 both inclusive
E	1

2. In the City of St. Thomas, County of Elgin, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

Registered Plan	Block	Lot
1		1-16 both inclusive
		D-G both inclusive
		K-S both inclusive
3	L	
	PS	
9		1-9 both inclusive
10		1-6 both inclusive
11		1-11 both inclusive
15		1-4 both inclusive
		8-14 both inclusive
	18	3, 4
	24	1
		2
		4
19		67
		69-73 both inclusive
		99
23		1-5 both inclusive
		11-15 both inclusive
		A-C both inclusive
	H	
37	J. Lindsay	
43		99
		102
		103
46		4-6 both inclusive
61		1
		2
64		1
		9-12 both inclusive
		18-27 both inclusive
65		Cherry St. unopened
		Second Ave. closed
		6
	5	1-16 both inclusive
	6	1-6 both inclusive
	6	11-16 both inclusive
	13	10-13 both inclusive
	14	1-4 both inclusive
	14	14-16 both inclusive
	15	1 and 2
	16	1-16 both inclusive
	21	10-18 both inclusive
	22	3-7 both inclusive
	22	17
	22	18
	24	2-6 both inclusive
	24	8-16 both inclusive
	25	5-15 both inclusive
	26	1-7 both inclusive
	26	11-18 both inclusive
	27	6-13 both inclusive
	30	7-11 both inclusive
	37	1-18 both inclusive
	38	1-4 both inclusive
	39	1-3 both inclusive
	40	1-9 both inclusive
70		31-46 both inclusive
		58-70 both inclusive
85		86, 88, 89
		97-104 both inclusive
86		133-146 both inclusive
		154-159 both inclusive
		172-177 both inclusive
		192-194 both inclusive
		Pt. Arkell St. closed
110	B	
	D-G both inclusive	
	K-N both inclusive	
	S	
	T	
122		1-10 both inclusive
	A	1-10 both inclusive
	B	6, 7
	D	7, 8
	F	
125		105-120 both inclusive
		146
		147
		178-187 both inclusive
126		10-19 both inclusive
130		1-4 both inclusive
	B	3, 4
134		7, 8
137	12	1-10 both inclusive
	13	1
140		6-8 both inclusive
	B	7-15 both inclusive
	F	1-4 both inclusive
170		10-13 both inclusive

Registered Plan	Block	Lot
174		Park Lot F
183		15, 16
184		16
		17
		19-27 both inclusive
		29-36 both inclusive
188		5-20 both inclusive
190		2-13 both inclusive
		16-19 both inclusive
192		1-19 both inclusive
		23-33 both inclusive
195		15, 16
196		14-19 both inclusive
		23-26 both inclusive
		A
203		104-106 both inclusive
		111-124 both inclusive
211		6-10 both inclusive
216		10-36 both inclusive
218		1, 2
		5
		21
232		1-9 both inclusive
241		1
242		17
		19
		102-104 both inclusive
		116-129 both inclusive
		155
		157-161 both inclusive
		179-182 both inclusive
		204
		205
		244
		251-259 both inclusive
		266-270 both inclusive
243		10-16 both inclusive
249		13-15 both inclusive
	A	
254		15
		75-80 both inclusive
		83-92 both inclusive
256		1
		56-61 both inclusive
265		2-6 both inclusive
269		15
		16
		33
273		18-24 both inclusive
282		13-17 both inclusive
	B	
	B	18
284	B	
293		13
		15
		16
		18
	A	19
297		1-10 both inclusive
		13-16 both inclusive

Registered Plan	Block	Lot
298		56-58 both inclusive
		60-63 both inclusive
		168-170 both inclusive
		191-196 both inclusive
		200-202 both inclusive
		206-208 both inclusive
		245
		246
	A-C both inclusive	
	K	
	L	
310		6
		7
312		10-22 both inclusive
		24
		25
		35-48 both inclusive
	A	
M9		1-9 both inclusive
M10		9
	C	

In the City of St. Thomas, (formerly in the Township of Yarmouth), County of Elgin, and being composed of part or all of the following lots:

Concession	Lot
7	3
	5, 6
8	1
	2
	4
9	1-4 both inclusive
	6
	pt. unsubdiv. lot
Range South Edgeware Road	3-7 both inclusive
South Talbot Road	45
Range 2 East River Road	10

3. In the western portion of the Township of Yarmouth, County of Elgin, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

Registered Plan	Block	Lot
28	A	1, 2
	A	4-6 both inclusive
	B	1-4 both inclusive
	C	
	D	1-3 both inclusive
	E	
	E	1
	F	
	G	1-4 both inclusive
	H	2
	J	1, 2
	J	5
	K	1-3 both inclusive
144		A
	A	
	B	9-22 both inclusive

REGISTERED PLAN	BLOCK	LOT
174	E	
	G	
	H	
		Park lot E
		Park lot F
		Park lot G
		Park lot H
		Park lot J
		Park lot K
219		11-14 both inclusive
222		25-42 both inclusive
230		1-6 both inclusive
237		21
		22
		47
		48
256		25
		26
		46
		62-69 both inclusive
		71
		72
263		1
		8
275		39-42 both inclusive

In the western portion of the Township of Yarmouth, County of Elgin, and being composed of part or all of the following lots:

CONCESSION	LOT
6	1-4 both inclusive
7	1-7 both inclusive
	1, 2
	12
	13
9	1-6 both inclusive
	12
	13
10	3-9 both inclusive
Range 1 North Edgeware Road	1-8 both inclusive
Range 1 South Edgeware Road	1-3 both inclusive
Range 2 North Edgeware Road	1
	4-8 both inclusive

O. Reg. 446/86, Sched. 1.

Schedule 2

That portion of the area under the jurisdiction of the Authority within the fill lines as outlined by a dashed line on a map filed with the Regional Office of the Ministry of Natural Resources at London as number KC2-1 dated December 12, 1971 as follows:

1. In the Village of Belmont, County of Elgin, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
231		5
		7
		8
		10-15 both inclusive
		17-21 both inclusive
		32
291		9
292	McKeller	1-3 both inclusive
319		Park lots 2-4 both inclusive
	Clines	
M24	A	
	B	
	C	
	E	
		12-29 both inclusive
		34-36 both inclusive
M33		5-11 both inclusive
		15
		16
		36-38 both inclusive
	A	
	C	

2. In the Township of Yarmouth, County of Elgin, and being composed of part or all of the following lots:

CONCESSION	LOT
15	15

3. In the Township of North Dorchester, County of Middlesex, and being composed of part or all of the following lots:

CONCESSION	LOT
6	23, 24

4. In the Township of Westminster, County of Middlesex, and being composed of part or all of the following lots:

CONCESSION	LOT
7	1-3 both inclusive

O. Reg. 446/86, Sched. 2.

Schedule 3

That portion of the area under the jurisdiction of the Authority within the fill lines as outlined by a dashed line on maps filed with the Regional Office of the Ministry of Natural Resources at London as numbers KC3-1, dated 1974 and KC3-2, dated November 8, 1970 as follows:

1. In the Village of Port Stanley, County of Elgin, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
20		1
24		75
		82-84 both inclusive
49		1-25 both inclusive
	A	
	B	
		B-E both inclusive
		Y
		Matilda St. closed
		John St. closed
112		7
		1-19 both inclusive
		25-56 both inclusive
		D
		Catherine St. closed
		Blvd.

Registered Plan	Block	Lot
158		5 8 9
159		Park lot A
177		4 31-35 both inclusive 37-44 both inclusive blvd.
201	2	13-15 both inclusive
M-18	A	4-6 both inclusive
11 M-31	61-65 both inclusive	1-60 both inclusive

2. In the Village of Port Stanley, (formerly in the Township of Southwold), County of Elgin, and being composed of part or all of the following lots:

Concession	Lot
1st Range North of Lake Rd.	15-16 both inclusive D

3. In the Village of Port Stanley, (formerly in the Township of Yarmouth), County of Elgin, and being composed of part or all of the following lots:

Concession	Lot
1	1, 2

4. In the Township of Southwold, County of Elgin, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

Registered Plan	Block	Lot
20		2-25 both inclusive 57-61 both inclusive
39	E F G H I K M N P R	N S T

5. In the Village of Southwold, County of Elgin, and being composed of part or all of the following lots:

Concession	Lot
Range 1 North Lake Road	D 14 16
Range 2 North Lake Road	14-16 both inclusive
Range 1 South Lake Road	14-16 both inclusive
Range 2 South Lake Road	13-16 both inclusive
Concession	Lot
2	1

O. Reg. 446/86, Sched. 3.

Schedule 4

That portion of the Kettle Creek watershed and its tributaries within the fill line as outlined by a dashed line on maps entitled "Kettle Creek Conservation Authority Rural Fill Line Mapping" filed in the Regional Office of the Ministry of Natural Resources at London as numbers KC4-1 to KC4-38, both inclusive, KC4-40 to KC4-47, both inclusive, KC4-51 to KC4-53, both inclusive, KC4-55 to KC4-64, both inclusive, KC4-67 to KC4-70, both inclusive, KC4-72 to KC4-76, both inclusive, KC4-81 and KC4-82 all dated May 1976 and revised January, 1985 as follows:

1. In the Township of Delaware in the County of Middlesex, and being composed of the following lots (or part thereof) and concessions:

Concession	Lot
II	13-22 both inclusive
III	19-24 both inclusive
IV	16-24 both inclusive

2. In the Township of North Dorchester in the County of Middlesex, and being composed of the following lots (or part thereof) and concessions:

Concession	Lot
III	15, 16
IV	10 13-17 both inclusive
V	6-18 both inclusive
VI	5-8 both inclusive 11, 12 14-18 both inclusive 20-24 both inclusive

3. In the Township of South Dorchester in the County of Elgin, and being composed of the following lots (or part thereof) and concessions:

Concession	Lot
VII	3-23 both inclusive
VIII	4, 5 13, 14 21-24 both inclusive

4. In the Township of Southwold in the County of Elgin, and being composed of the following lots (or part thereof) and concessions:

Concession	Lot
1st Range South of Union Road	5-16 both inclusive
2nd Range South of Union Road	5-13 both inclusive
Block C	

CONCESSION	LOT
3rd Range South of Union Road	5
3rd Range North of Lake Road	5, 6 8-13 both inclusive
2nd Range North of Lake Road	9-12 both inclusive
1st Range North of Union Road	9-16 both inclusive
2nd Range North of Union Road	9-12 both inclusive 14-16 both inclusive
1st Range West of Mill Road	1-6 both inclusive
2nd Range West of Mill Road	1-5 both inclusive
1st Range East of Mill Road	1-6 both inclusive
1st Range East of River Road	1-8 both inclusive
2nd Range East of River Road	1-9 both inclusive
1st Range West of River Road	2-6 both inclusive
2nd Range West of River Road	3-6 both inclusive
3rd Range West of River Road	4-6 both inclusive
4th Range West of River Road	5, 6
North of Talbot Road East	40-45 both inclusive
Gore	A-C both inclusive
South of North Talbot Road	31-41 both inclusive
East of North Branch of Talbot Road	A-D both inclusive 41-46 both inclusive 48
North of North Branch of Talbot Road	29-38 both inclusive 40 E
West of North Branch of Talbot Road	G 46-48 both inclusive
III	18-21 both inclusive 24-27 both inclusive
IV	18-21 both inclusive 24-27 both inclusive
Block D	3
South of Talbot Road East	8, 9 17 26 39-41 both inclusive 43, 44

5. In the Township of Westminster in the County of Middlesex, and being composed of the following lots (or part thereof) and concessions:

CONCESSION	LOT
V	7-10 both inclusive 12 14, 15
VI	2, 3 6-17 both inclusive
VII	2, 3, 4 6, 7 9, 10 12-21 both inclusive
VIII	3-12 both inclusive 14-23 both inclusive
IX	14, 15 19 21, 22, 23
Gore	16, 17 20, 21 23 25, 26
East of North Talbot Road	49-55 both inclusive
West of North Talbot Road	49-53 both inclusive 59, 60

6. In the Township of Yarmouth in the County of Elgin, and being composed of the following lots (or part thereof) and concessions:

CONCESSION	LOT
II	1-14 both inclusive 20, 21
III	1-7 both inclusive 9-21 both inclusive
IV	1-15 both inclusive
V	1-7 both inclusive 11, 12 14, 15, 16
VI	1, 2, 3 6-12 both inclusive
Range I North of Edgeware Road	1-7 both inclusive
Range II North of Edgeware Road	4-8 both inclusive
X	2 4-12 both inclusive
XI	1-14 both inclusive
XII	1-6 both inclusive 9-17 both inclusive
XIII	3-15 both inclusive 17
XIV	8-17 both inclusive
XV	15, 16

O. Reg. 446/86, Sched. 4.

REGULATION 153

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—LAKE SIMCOE REGION

1. In this Regulation,

"Authority" means Lake Simcoe Region Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means a storm producing in a forty-eight hour period in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

2.90 inches of rain in the first 36 hours
0.25 inches of rain in the 37th hour
0.17 inches of rain in the 38th hour
0.25 inches of rain in the 39th hour
0.50 inches of rain in the 40th hour
0.66 inches of rain in the 41st hour
0.50 inches of rain in the 42nd hour
0.91 inches of rain in the 43rd hour
0.50 inches of rain in the 44th hour
0.50 inches of rain in the 45th hour
2.08 inches of rain in the 46th hour
1.49 inches of rain in the 47th hour
0.50 inches of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
11 to 17 both inclusive	99.2
18 to 25 both inclusive	98.2
26 to 35 both inclusive	97.1
36 to 45 both inclusive	96.3
46 to 55 both inclusive	95.4
56 to 65 both inclusive	94.8
66 to 75 both inclusive	94.2
76 to 85 both inclusive	93.5
86 to 95 both inclusive	92.7
96 to 105 both inclusive	92.0
106 to 175 both inclusive	89.4
176 to 225 both inclusive	86.7
226 to 275 both inclusive	84.0
276 to 325 both inclusive	82.4
326 to 375 both inclusive	80.8
376 to 450 both inclusive	79.3
451 to 550 both inclusive	76.6
551 to 650 both inclusive	74.4
651 to 750 both inclusive	73.3
751 to 850 both inclusive	71.7
851 to 950 both inclusive	70.2
951 to 1050 both inclusive	69.0
1051 to 1750 both inclusive	64.4
1751 to 2250 both inclusive	61.4
2251 to 2750 both inclusive	58.9
2751 to 3000 both inclusive	57.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 179, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 179, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 179, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of the land. R.R.O. 1980, Reg. 179, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 179, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 179, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation, if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 179, s. 7.

8. Members of the staff of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 179, s. 8.

Schedule 1

In The Regional Municipality of York, more particularly described as follows:

In the Town of Newmarket in The Regional Municipality of York and being composed of those parts of the following lots and concessions:

Concession	Lot
I West (of Yonge Street)	87 93
I East (of Yonge Street)	87 88 89 90 96 97 98 99
II	1 2 3 4 32 33 34 35

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. SL1-1 to SL1-20, both inclusive. R.R.O. 1980, Reg. 179, Sched. 1.

Schedule 2

In the County of Simcoe, more particularly described as follows:

In the Township of West Gwillimbury in the County of Simcoe and being composed of those parts of the following lots and concessions:

Concession	Lot
I	1 2 3 4 5 6 7
II	2 3 4 5 6 7 8 9 10 11
III	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15
IV	1 2 3 4 5 6 7 11 12 13 14 15 16

CONCESSION	LOT
V	1 2 3 4 5 6 7 8 9 10 11 13 14 15 16 17
VI	3 5 6 7 8 9 10 11 12 13 15 16 17 18
VII	7 8 9 10 11 12 13
VIII	7 8 9 10 11 12 13 14 15 16 17 18 19
IX	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

CONCESSION	LOT
X	9 10 11 12 13 14 15 16 19 20 21 22 23 24
XI	9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24
XII	11 12 13 14 15 16 17 18 19 20 21 22 23 24
XIII	14 15 16 17 18 19 20 21 22 23 24
XIV	14 15 16 17 18 19 22 23
XV	17 18 19 20 21

Concession	Lot
	22 23 24

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. SL2-1 to SL2-83, both inclusive. R.R.O. 1980, Reg. 179, Sched. 2.

Schedule 3

In the Township of King in The Regional Municipality of York and being composed of those parts of the following lots and concessions:

Concession	Lot
II Old Survey—North of Highway 9	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28
III	1 2 3 4 5 6 7 8 9
I New Survey—North of Highway 9	8 9 10 11 12 13 14
II	14
II Survey—South of Highway 9	12 13 14 15 16 17 18 19 20
	21 22 23 24 25 26 27 28 29 30 31 32 33 34 35
III New Survey	18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35
IV	17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35
V	17 18 19 20 21 22 23 24 25 26 27 28 29 30

Concession	Lot
	31
	32
	33
	34
	35
VI	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
VII	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
VIII	16
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
East Half	31
East Half	32
East Half	33
East Half	34
East Half	35
IX	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
X	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
XI	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
XII	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. SL3-1 to SL3-126, both inclusive. R.R.O. 1980, Reg. 179, Sched. 3.

Schedule 4

In The Regional Municipality of York, more particularly described as follows:

In the Township of Georgina in The Regional Municipality of York, being that portion lying east of the former Township of North Gwillimbury in the County of York, and being composed of those parts of the following lots and concessions:

Concession	Lot
I	1
	2
	3
	4
	5
	6
	7
	8
	9

CONCESSION	LOT
	10
	11
	12
	13
	14
II	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
III	1
	2
	3
	4
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
IV	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
V	1
	2
	3
	4
	5
	6
	7

CONCESSION	LOT
	8
	9
	10
	11
	12
	13
	14
	15
	17
	18
	19
VI	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	14
	15
	17
	18
	19
VII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
	20
VIII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	14
	15
	16
	17
	18

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. SL4-1 to SL4-52, both inclusive. R.R.O. 1980, Reg. 179, Sched. 4.

Schedule 5

In The Regional Municipality of York, more particularly described as follows:

In the Township of Georgina in The Regional Municipality of York, formerly in the Township of North Gwillimbury in the County of York, and being composed of those parts of the following lots and concessions:

Concession	Lot
I	1 2 3 4 5 6
II	1 2 3 4 5 6 7 13 14 15 16 17 18 19 20 21 22 23 24 25 26
III	1 2 3 4 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 26 27 28 29
IV	1 2 3 4 5 6 7
	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23
V	1 2 3 4 6 7 10 11 12 13 17 18 19 20 21 22 23
VI	1 2 3 4 5 6 7 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23
VII	1 2 3 4 5 6 7 8 9 10 11 12 13

CONCESSION	LOT
	14
	15
	16
	17
	18
	19
	20
	21
	22
	23
VIII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
IX	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. SL5-1 to SL5-61, both inclusive. R.R.O. 1980, Reg. 179, Sched. 5.

Schedule 6

In The Regional Municipality of York, more particularly described as follows:

In the Town of East Gwillimbury in The Regional Municipality of York, formerly in the Township of East Gwillimbury in the County of York, and being composed of those parts of the following lots and concessions:

CONCESSION	LOT
III	13
	14
	15
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
IV	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
V	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27

CONCESSION	LOT
	28
	29
	30
	31
	32
	33
	34
	35
VI	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
VII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27

CONCESSION	LOT
	28
	29
	30
	31
	32
	33
	34
	35
VIII	1
	2
	3
	4
	5
	6
	7
	8
	9
	10
	11
	12
	13
	14
	15
	16
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
IX	5

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. SL6-1 to SL6-114, both inclusive. R.R.O. 1980, Reg. 179, Sched. 6.

Schedule 7

In The Regional Municipality of York, more particularly described as follows:

In the Town of Aurora in The Regional Municipality of York and being composed of those parts of the following lots and concessions:

CONCESSION	LOT
I West (of Yonge Street)	74
	75
	76
	77
	78
	79
	80
	81

CONCESSION	LOT
	82
	83
	84
	85
	86
I East (of Yonge Street)	73
	74
	75
	76
	77
	78
	79
	80
	81
	82
	83
	84
	85
	86
II	72
	73
	74
	75
	76
	77
	78
	79
	80
	81
	82
	83
	84
	85
	86
III	74
	75
	76
	77
	82
	84
	85

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. SL7-1 to SL7-36, both inclusive. R.R.O. 1980, Reg. 179, Sched. 7.

Schedule 8

In The Regional Municipality of York, more particularly described as follows:

In the Town of Whitchurch-Stouffville in The Regional Municipality of York and being composed of those parts of the following lots and concessions:

CONCESSION	LOT
III	16
	17
	23
	24
	25
	29
IV	14
	15
	16
	17
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
V	14
	15
	16
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
VI	14
	15
	16
	17
	18
	19
	20
	21
	22
	23
	24
	25
	26
	27
	28
	29
	30
	31
	32
	33
	34
	35
VIII	12
	13
	14
	15
	16
	17
	18
	19
	20
	21

Concession	Lot
	22 23 24 25 26 27 28 29 30 31 32 33 34 35
IX	12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33

as shown on maps filed in the Regional Office of the Ministry of Natural Resources as Nos. SL8-1 to SL8-69, both inclusive. R.R.O. 1980, Reg. 179, Sched. 8.

Schedule 9

In the County of Simcoe, more particularly described as follows:

In the Township of Innisfil in the County of Simcoe and being composed of those parts of the following lots and concessions:

Concession	Lot
I	17 18 19 20 21 22 23 24
II	18 19 20 21 22 24
III	18 19 21
	22 23 24
IV	17 18 19 20 21 22 23 24 25
V	19 20 21 22 23 24 25
VI	8 9 10 11 12 13 14 15 19 20 21 23 24 25 26 27
VII	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26
VIII	9 10 11 12 13 14 18 19 23 24 25 26 27

Concession	Lot
IX	8 9 10 11 12 13 14 15 17 18 19 22 23 24 26 27
X	6 7 8 9 10 11 12 13 18 19 24 25 26 27 28
XI	8 9 10 11 12 13 16 17 18 19 20 21 22 23 24 25 26 27 28
XII	8 9 10 11 12 16 17 19 20 21 22 23 24 28 29
XIII	12 13 15 16
	22 23 29 30 31
XIV	12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. SL9-1 to SL9-80, both inclusive. R.R.O. 1980, Reg. 179, Sched. 9.

REGULATION 154

FILL,CONSTRUCTION AND ALTERATION TO WATERWAYS—LONG POINT REGION CONSERVATION AUTHORITY

1. In this Regulation,

"Authority" means the Long Point Region Conservation Authority;

"building or structure" means a building or structure of any kind;

"construct" means to do anything in the erection, installation, extension, material alteration or repair of a building or structure and includes the installation of a building unit fabricated or moved from elsewhere, and "construction" has a corresponding meaning;

"drainage area" means, for a point, the area that contributes runoff to that point;

"fill" means earth, sand, gravel, building materials, storage materials, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"mm" means millimetres;

"regional storm" means a storm producing in a forty-eight hour period, in a drainage area of,

(a) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than twenty-five square kilometres, a rainfall such

that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2:

TABLE 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour
53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (in square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 545/84, s. 1.

2. The areas as described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 545/84, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 545/84, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 545/84, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 545/84, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 545/84, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for permission are not carried out. O. Reg. 545/84, s. 7.

8. The Authority may from time to time appoint officers to enforce this Regulation. O. Reg. 545/84, s. 8.

Schedule 1

In the Regional Municipality of Haldimand-Norfolk and the County of Oxford, as shown on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, as Number LPR 1-1 to LPR 1-65 inclusive, and more particularly described as follows:

1. In the Township of Delhi (formerly in the Township of Charlotteville), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
B	1 2 3 (S ½) 4 (N ½) 6 (N ½) 7 (N ½)
A	1 (S ½) 2 (S ½) 3 (S ½) 6 (S ½) 7 to 10 inclusive 15 (N ½) 16 17 (S ½) 18 (S ½) 19 (S ½) 20 (S ½)
I	5 (N ½) 6 7 (S ½) 8 12 (N ½) 13 (N ½) 14 (S ½) 15 (S ½) 16 to 19 inclusive 20 (N ½) 21 22 (S ½) 23 (S ½)
II	8 (S ½) 15 (N ½) 16 17 (S ½) 18 (S ½) 19 (S ½) 20 (S ½) 21 (S ½) 24 (S ½)
III	1 (N ½) 21 (N ½) 22 (N ½) 23 24
IV	1 2 3 12 (N ½) 13 (N ½) 15 (N ½) 16 (N ½) 17 (N ½) 18 (N ½) 19 (N ½) 20 (N ½) 21
	22 (S ½) 24 (N ½)
V	1 (S ½) 2 3 (N ½) 9 (N ½) 10 (N ½) 11 (N ½) 12 13 (S ½) 14 15 (S ½) 16 21 (N ½) 22 (N ½) 23 24 (S ½)
VI	1 (N ½) 2 (S ½) 3 (S ½) 4 (N ½) 11 (N ½) 12 20 (S ½) 21 (S ½)
VII	1 (S ½) 2 3 4 10 (N ½) 11 12 (S ½) 13 (N ½) 14 (N ½)
VIII	1 (N ½) 2 (S ½) 3 (S ½) 4 (S ½) 10 (S ½)
IX	1 to 4 inclusive 5 (S ½) 6 7 (N ½) 8 (N ½) 20 (N ½) 21 22 23
X	1 to 5 inclusive 6 (N ½) 7 (S ½) 8 (S ½) 9 (S ½) 10 (S ½) 14 (S ½) 15 (S ½) 16 17 (N ½) 18 (N ½) 19 (N ½) 21 22
XI	1 to 6 inclusive 7 (N ½)
XII	1 2 3 4 (S ½)

CONCESSION	LOT
	5 (N ½) 6 to 9 inclusive

2. In the Township of Delhi (formerly in the Township of Charlotteville), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
29B (Vittoria)	7, 7A 8 9 10 12 13 21 22 23 24 25	7 to 11 inclusive 7, 8, 9 Railway Lot 2 Railway Lot 3
32B (St. Williams)	1 2 3	1 2 3 44
549 (St. Williams)		1 2 3 12-23 inclusive
33B (Forestville)	1 2 3 8	1 2 3 6 7 8 1 2
36B (Normandale)	1 2 6 7	22
37B (Lynedoch)	1 4 6 7 to 9 inclusive 10 11-17 inclusive 18 19 21	 10 11 12 4 5
82B		B5 B6 29 37-39 inclusive 43 44
143 (Fishers Glen)		1-49 inclusive

REGISTERED PLAN	BLOCK	LOT
166 (Normandale)		1-69 inclusive
253 (Normandale)		1-17 inclusive

3. In the Township of Delhi (formerly in the Township of Windham), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
I	8 (N ½) 9-12 inclusive 22 (N ½) 23 24 (S ½)
II	17 (S ½) 18 (S ½) 24 (N ½)
III	10 11 12 17 (N ½) 18 (N ½)
IV	11 (N ½) 12 13 14 (S ½) 17 (S ½)
V	13 (N ½) 14 (N ½) 15 16 17
VI	1 2 (S ½) 3 (S ½) 4 (S ½) 16 17 18
VII	17 (N ½) 18 19 (S ½) 20 (S ½) 21 (S ½) 22 (N ½)
VIII	19 (N ½) 20 (N ½) 21 22 (S ½)
IX	8 (S ½) 17 18 (N ½) 19 20 (N ½) 21 22 23 (S ½) 24 (S ½)
X	4 (S ½) 5 6 (N ½) 7 (N ½) 8 (N ½) 9 10 (N ½)

CONCESSION	LOT
	22 (N ½) 23 24
XI	4 15 (N ½) 16 (S ½) 17 (S ½) 18 (S ½) 22 (N ½) 23 (N ½) 24
XII	2 (S ½) 3 4 (N ½) 5 (N ½) 9 (S ½) 10 (S ½) 17 18 19 20 (S ½) 21 (S ½) 23 (S ½)
XIII	6 (S ½) 7 8 (S ½) 9 11 (S ½) 12 (S ½) 19-24 inclusive
XIV	9 (S ½) 10 (S ½) 11 12 13 20 (N ½) 21 22 (N ½) 23 24

4. In the Township of Delhi (formerly in the Township of Windham), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
47B (Teeterville)	I II IV	7 8 14 15
306 (Tisdale Subdivision)		6 7
475 (Gilbertville)	A B	 6-9 inclusive 11-14 inclusive 29-35 inclusive
1057 (Huffman Court)	A	

5. In the Township of Delhi (formerly in the Township of Middleton), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
I STR (South of Talbot Rd)	43 to 48 inclusive
II STR	43 (N ½) 44-46 inclusive
III STR	43-46 inclusive
I NTR (North of Talbot Rd)	36 41 to 48 inclusive
II NTR	36-38 inclusive 39 (N ½) 40 (N ½) 41 42 43 (N ½)

6. In the Township of Delhi (formerly in the Township of Middleton), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
296		1-33 inclusive
345		all lots inclusive
397		all lots inclusive

7. In the Township of Delhi (formerly in the Town of Delhi), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
81B		1-11 inclusive
189	1 2 6 40 43 44	
681	A	 1 2 3 4 28

8. In the Township of Norfolk (formerly in the Township of Middleton), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
I STR (South of Talbot Rd)	10 (N ½) 11 (N ½) 12 (S ½) 13 14 (N ½) 15-19 inclusive 20 (S ½) 21 22 23 (S ½) 24 25 26 (S ½)

CONCESSION	LOT
	27 (S ½) 34 (S ½) 35 (S ½) 36 37 (N ½) 38 39 40 41 (N ½) 42 (N ½)
II STR	10 (S ½) 11 (S ½) 12 13 (N ½) 14 (N ½) 15 16 17 (S ½) 18 (S ½) 19 (S ½) 20 (S ½) 21 (S ½) 24 (S ½) 25 33 (S ½) 34 35 (N ½) 36 (N ½) 37 (N ½) 38 (N ½) 39 40 (S ½) 41 (S ½) 42
III STR	12-17 inclusive 18 (S ½) 19 (S ½) 20 21 22 (S ½) 23 (S ½) 24 25 (S ½) 26 (S ½) 27 (S ½) 28 29 30 31 (S ½) 32 (S ½) 33 (S ½) 34 (S ½) 35 38 (S ½) 39-42 inclusive
IV STR	19 20 21 22 (S ½) 23 (S ½) 27 (S ½) 28 (S ½)
I NTR (North Talbot Rd)	5 (N ½) 6 (N ½) 7 (N ½) 8 (N ½) 9 10 11 (N ½) 12 (N ½)
	13 (N ½) 14 (N ½) 15 16 17 18 19 20 (S ½) 23 (S ½) 24 (S ½) 25 (S ½) 36 37 38 (S ½) 39 (S ½) 40 (S ½) 41 (S ½) 42 (S ½)
II NTR	1 (N ½) 2-12 inclusive 13 (S ½) 14 (S ½) 15 (S ½) 16 (S ½) 35 36 37 38 39 (N ½) 40 (N ½) 41 42
III NTR	1 2 3 (S ½) 4 5 6 (S ½) 7 8 (S ½)
IV NTR	1 2 3 4 (N ½) 5 6 7

9. In the Township of Norfolk (formerly in the Township of Middleton), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
607 (Courtland)	A	8-14 inclusive

10. In the Township of Norfolk (formerly in the Township of North Walsingham), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
VII	2 (N ½) 3-5 inclusive 6 (S ½) 7 9 (N ½)

CONCESSION	LOT
	10 (N ½) 11-19 inclusive 20 (S ½)
VIII	2-6 inclusive 7 (N ½) 9 (N ½) 10 (N ½) 11 12 (S ½) 13 14 (S ½) 15-19 inclusive 20 (S ½) 21 (N ½) 22 23 (N ½) 24
IX	1-7 inclusive 8 (S ½) 9 (S ½) 10 (N ½) 11 12 13 (N ½) 14-20 inclusive 21 (S ½) 22 (S ½) 23 (S ½) 24 (S ½)
X	2 (S ½) 3-6 inclusive 7 (N ½) 10-24 inclusive
XI	3 (N ½) 4 5 (N ½) 6 (S ½) 7 10 11 12 (S ½) 13 (S ½) 14 15 (S ½) 16 (S ½) 17-20 inclusive 21 (S ½) 22 23 24
XII	3 (S ½) 4-7 inclusive 10 (S ½) 11 (S ½) 12 (S ½) 13 (N ½) 17-24 inclusive
XIII	1 (N ½) 6 (S ½) 7 8 17 (S ½) 18 19 (N ½) 20 21 (S ½) 22 (S ½)
	23 (S ½) 24 (N ½)
XIV	1 (S ½) 2 (S ½) 8 (S ½) 9 10 (N ½) 11 (N ½) 12 (N ½) 18 19 20 (N ½) 21 (N ½) 22 (N ½) 23 (S ½) 24 (S ½)

11. In the Township of Norfolk (formerly in the Township of North Walsingham), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
428 (Langton)	A	20-24 inclusive

12. In the Township of Norfolk (formerly in the Township of South Walsingham), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
In front of Concession B (South of Regional Road 42)	9-15 inclusive 16 (S ½)
B	1 5 8 (N ½) 9-16 inclusive
A	1 (S ½) 5 6 (N ½) 7-15 inclusive 16 (S ½) 17-20 inclusive
Gore	B C D (S ½)
I	1 2 (N ½) 3 (N ½) 6-17 inclusive 18 (S ½) 19 (S ½) 20 (S ½) 21 (S ½) 22 24 (S ½)
II	1 (S ½) 2 (N ½) 3 6-12 inclusive 14-18 inclusive 19 (S ½) 20

CONCESSION	LOT
	21 (S ½) 22 (S ½) 23 24
III	5 (N ½) 6 7 8 9 (N ½) 10 (N ½) 11 (N ½) 12 (N ½) 14 (S ½) 16 (S ½) 17 (S ½) 23 24
IV	6 (N ½) 7-10 inclusive 11 (N ½) 12 (N ½) 13 (N ½) 14 15 (S ½) 18 (S ½) 19 (S ½) 20-24 inclusive
V	4 (N ½) 5 (N ½) 6 7 8 (S ½) 9 10 11 12 (N ½) 13 14 23 (S ½) 24
VI	4 (N ½) 5 6 7 (S ½) 8 9 11-15 inclusive 16 (N ½) 18 (N ½) 19 (N ½)

13. In the Township of Norfolk (formerly in the Township of South Walsingham), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
16B (Port Rowan)	II III IV V VI VIII IX XI XXV XXXIV XXXVI	 22 to 25 inclusive
	XXXVII XXXVIII XL XLIII XLIV XLV	
30B (Port Royal)		1 to 3 inclusive
31B (Walsingham)	1 3 5 8	

14. In the Township of Norfolk (formerly in the Township of Houghton), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
Lake Road South Side (LRSS)	1 (SE ½) 2 (NW ½) 15 (SE ½) 16 17 18 19 (NW ½)
Lake Road North Side (LRNS)	1 (SE ½) 2 3 (NW ½) 10 (SE ½) 11 12 13 (N ½) 15 (N ½) 16 (N ½) 17 18 19
North Road West Side (NRWS)	1 3 (NW ½) 4 6 (NW ½) 7 8 9 (NW ½) 10 (NW ½) 11-17 inclusive 18 (S ½)
North Road East Side (NRES)	1 (NW ½) 2 (SE ½) 8 (NW ½) 9 10 11 12 (SE ½) 13 (SE ½) 14 (SE ½) 15 (SE ½) 16 (SE ½) 17 (NW ½) 18 19 20
I	9 (N ½) 10 11 12 13 (S ½) 14 (N ½)

CONCESSION	LOT
	15 16 (N ½) 17 18 19 (S ½)
II	4 (S ½) 5 (S ½) 6 (S ½) 7 (S ½) 11 (N ½) 12 (S ½) 13 14 (N ½) 20
III	1 (S ½) 2 3 4 5 (N ½) 7 (N ½) 13 (N ½) 14 (N ½)
IV	1 (NW ½) 2 (NW ½) 13 14
V	1 2 3 (SE ½) 5 (SE ½) 6 (SE ½) 7 8 (SE ½) 9 (SE ½)
VI	1-6 inclusive 7 (NW ½) 8 (NW ½) 9 10 11
VII	1 2 3 (NW ½)
VIII	2 (SE ½) 3
IX	1 (N ½)
TRNS (Talbot Rd North Side)	A B (N ½)

15. In the Township of Norfolk (formerly in the Township of Houghton), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
28B (Clear Creek)		2 7-14 inclusive

16. In the Town of Tillsonburg, County of Oxford being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
Plan 500		62-66 inclusive 68 71 72A 72 76-79 inclusive 81-92 inclusive 85A 122-124 inclusive 143-146 inclusive 377 459-464 inclusive 539-545 inclusive 545E 545F 545G 545K 545Q 545R 564 680-698 inclusive 708-730 inclusive 715A 715B 715C 715D 715E 715F 715G 715H 715J 715K 715L 715T 715U 715V 715W 715X 715Y 719A 732 735-739 inclusive 744-746 inclusive 749-751 inclusive 756 757 760 761 763 764A 764 765 990 995-1008 inclusive 1010-1028 inclusive 1044-1057 inclusive 1121-1140 inclusive 1148-1152 inclusive 1167-1174 inclusive 1184-1186 inclusive 1188-1199 inclusive 1277-1290 inclusive 1292-1315 inclusive 1355 1379-1464 inclusive 1413A 1429A 1430A

REGISTERED PLAN	BLOCK	LOT
		1510-1514 inclusive 1558-1564 inclusive 1571 1572 1579-1606 inclusive
507	B C	 6-39 inclusive
518	A	9-17 inclusive
551		19-28 inclusive
621		1-17 inclusive
675		1-9 inclusive
930	B	6-9 inclusive
966	A	15-24 inclusive
986		1-11 inclusive 17 18 20-25 inclusive
999		1-6 inclusive
1033		1-4 inclusive
1072		4-10 inclusive
M-8	A B	 1-4 inclusive
M-10		7-15 inclusive 23-29 inclusive
M-12		33-44 inclusive
M-14	A	1-15 inclusive
M-15	A	1-16 inclusive
M-20		1
M-25		13-24 inclusive
M-36	A H J	 8-26 inclusive
M-37	A B C	 15-35 inclusive 52-54 inclusive
M-38	A	4-8 inclusive
M-42	G H I L M	 1-12 inclusive 126-134 inclusive
M-51	B	65-67 inclusive 71-85 inclusive
M-53	B C D E F I	 1-28 inclusive 53-70 inclusive
		191-211 inclusive 263-274 inclusive 306-320 inclusive
M-59	I	28-35 inclusive
M-68	A	7-13 inclusive 19 20 27-48 inclusive

17. In the Town of Tillsonburg (formerly in the Township of Middleton), County of Oxford, and being composed of part or all of the following lots:

CONCESSION	LOT
V NTR (North of Talbot Rd)	1-8 inclusive

18. In the Town of Tillsonburg (formerly in the Township of Dereham), County of Oxford, and being composed of part or all of the following lots:

CONCESSION	LOT
X	3-7 inclusive
XI	4-8 inclusive
XII	1-8 inclusive

19. In the Township of South-West Oxford, County of Oxford, and being composed of part or all of the following lots:

CONCESSION	LOT
VII	6 (S ½) 7 (S ½) 8 (S ½) 9 (S ½) 10 11 (S ½)
VIII	1 2 (S ½) 3 (S ½) 5 (S ½) 6-8 inclusive 16 (S ½)
IX	2 (N ½) 3 (N ½) 4 (N ½) 5 (N ½) 6 (N ½) 14 (N ½) 15 16
X	3 (N ½) 4 (N ½) 5 (N ½) 9 (S ½) 10 (S ½) 15 16
XI	1 2 9 10 11 12 (N ½) 13 (N ½)

CONCESSION	LOT
	14 (N ½) 15 (N ½)
XII	9 (S ½) 10 (S ½)

20. Those portions of any road allowance, road, street or highway within the fill lines.

O. Reg. 545/84, Sched. 1; O. Reg. 491/85, s. 1.

Schedule 2

In the Regional Municipality of Haldimand-Norfolk, as shown on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, numbered 1 to 19 inclusive, 2A, 26, 32 to 39 inclusive, 33A and 33B, and more particularly described as follows:

1. In the Town of Simcoe, Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

REGISTERED PLAN	BLOCK	LOT
182	1	8
		9
	3	
	4	5-8 inclusive
	7	1-10 inclusive
	8	
	9	38-45 inclusive
	10	1-9 inclusive
	11	24-34 inclusive
	12	12-23 inclusive
	13	
	17	1-9 inclusive
	22	35-45 inclusive
	23	24-35 inclusive
	34	1
	30	1
		2
	31	2
		5
		6
		8
		9
	32	16-21 inclusive
	37	6-11 inclusive
	39	20-24 inclusive
	40	1
		2
		3
	41	8
		9
		10
	46	12
		19-24 inclusive
	48	5-11 inclusive
	49	6-9 inclusive
	50	1
		2
		12
		13
	50A	
	57	28
		29
		30
		33
		34
		35
	58	18
		19
		20
		21
		23
	76	2-6 inclusive
		Ry A
	81	1
		Ry D
	82	
	82B	38-50 inclusive
	83	1
		2
		Ry E
	88	5
		7
		10
	124A	1
		2
	127	5
		17
		18
	127A	4-7 inclusive
	128	1
		2
		Ry F
	133	1
		2
		Ry G
191		25-38 inclusive
201		12-15 inclusive
275	24A	
	25A	all of plan
276		11-14 inclusive
		36-46 inclusive
		49-57 inclusive
		60
		71
279		7
		8
		9
314		all of plan

2. In the Town of Simcoe (formerly in the Township of Woodhouse), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
III	3
IV	2 3
V	1 2 3
VI	3
Gore	16 17

3. In the Town of Simcoe (formerly in the Township of Town-

send), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

Concession	Lot
XIII	1 2 3
XIV	1 2 3

4. In the Town of Simcoe (formerly in the Township of Charlotteville), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

Concession	Lot
IX	24

5. In the Town of Simcoe (formerly in the Township of Windham), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

Concession	Lot
XIII	1-5 inclusive
XIV	1-5 inclusive

6. In the Township of Delhi (formerly in the Township of Windham), Regional Municipality of Haldimand-Norfolk, and being composed of part of the following lot:

Concession	Lot
XII	1

7. In the City of Nanticoke (formerly in the Town of Port Dover), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following blocks or lots as shown on Registered Plans:

Registered Plan	Block	Lot
207	12	A Ry 22
	25	2 3 6 Ry 15
	26	
	27	4 5 6
	35	9-13 inclusive
	36	2-10 inclusive
	46	12 13 14
	53	6-9 inclusive
	58	17-20 inclusive Ry 6 Ry 7 Ry 8 Ry 12
	59	4 5 6 10-18 inclusive
	64	1-14 inclusive
	72	11-20 inclusive
	74	2 3 4
	75	3
	80	25-28 inclusive Ry 10
	87	1-6 inclusive 29 Ry 9
	96	36-45 inclusive
	96A	45-51 inclusive
	97	46-53 inclusive
	97A	52-60 inclusive
	98	B C 57-64 inclusive
	98A	61-65 inclusive
	99	A 8-36 inclusive
	100	28-31 inclusive 33 Ry 16
75-A		17-79 inclusive
96-B		42-45 inclusive
98-B		1-8 inclusive 36-40 inclusive

8. In the City of Nanticoke (formerly in the Township of Woodhouse), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

Concession	Lot
I	10
II	6-10 inclusive
III	4-7 inclusive

9. In the City of Nanticoke (formerly in the Township of Townsend), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

Concession	Lot
X	3 4
XI	1-6 inclusive
XII	1-3 inclusive
XIII	4-6 inclusive
XIV	4

O. Reg. 545/84, Sched. 2; O. Reg. 491/85, s. 2.

Schedule 3

In the Regional Municipality of Haldimand-Norfolk, as shown on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, numbered 1 to 9 inclusive, and more particularly described as follows:

1. In the City of Nanticoke (formerly in the Township of Walpole), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

Concession	Lot
I	4 5 6

CONCESSION	LOT
II	4-7 inclusive
III	3-6 inclusive
IV	1-4 inclusive
V	1 2
VI	1 2
VII	1

2. In the City of Nanticoke (formerly in the Township of Woodhouse), Regional Municipality of Haldimand-Norfolk, and being composed of part or all of the following lots:

CONCESSION	LOT
IV	23 24
V	24
VI	24

O. Reg. 545/84, Sched. 3; O. Reg. 491/85, s. 3.

Schedule 4

In the Regional Municipality of Haldimand-Norfolk, as shown on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario, numbered 1 and 2, and more particularly described as follows:

1. In the City of Nanticoke (formerly in the Township of Walpole), Regional Municipality of Haldimand-Norfolk, and being composed of part of the following lot:

CONCESSION	LOT
I	24

2. In the City of Nanticoke (formerly in the Township of Rainham), Regional Municipality of Haldimand-Norfolk, and being composed of part of the following lots:

CONCESSION	LOT
I	24
II	24

3. In the Town of Haldimand (formerly in the Township of Rainham), Regional Municipality of Haldimand-Norfolk, and being composed of part of the following lots:

CONCESSION	LOT
II	1 2

O. Reg. 545/84, Sched. 4; O. Reg. 491/85, s. 4.

REGULATION 155

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—LOWER THAMES VALLEY

1. In this Regulation,

"Authority" means the Lower Thames Valley Conservation Authority;

"building or structure" means a building or structure of any kind;

"fill" means material of any kind used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the schedules;

"river", "lake", "creek", "stream", or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 168, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 168, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area below the high-water mark of a lake, river, creek or stream in or on the area under the jurisdiction of the Authority;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the schedules; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 168, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping will not affect the control of flooding or pollution or the conservation of land. R.R.O. 1980, Reg. 168, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before the permission required by section 4 has been obtained. R.R.O. 1980, Reg. 168, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way the existing channel of a river, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan of the property and cross-sections showing the existing channel and the proposed channel, with proposed bank protection clearly indicated;

(b) four copies of a complete description of the proposed bank protection; and

(c) four copies of a statement of the dates between which the construction will be carried out. R.R.O. 1980, Reg. 168, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for the permission are not carried out. R.R.O. 1980, Reg. 168, s. 7.

8. The executive committee of the Authority may appoint one or more officers for the purpose of enforcing any regulation made under section 28 of the Act. R.R.O. 1980, Reg. 168, s. 8.

Schedule 1

That land along the River Thames from the easterly limits of the City of Chatham in the County of Kent to the line between Lots 20 and 21 formerly the Township of Dover and the production of that line to the south, and being those areas shown on defined area maps Nos. 1, 2 and 3 labelled Fill Regulations, Defined Area, Thames River, City of Chatham filed in the office of the Registrar of Regulations at Toronto as Nos. 918 to 920, both inclusive. R.R.O. 1980, Reg. 168, Sched. 1.

Schedule 2

That land along McGregor's Creek from its confluence with the Thames River to the southerly limits of the City of Chatham in the County of Kent, and being those areas shown on defined area maps Nos. 2, 4 and 5 labelled Fill Regulations, Defined Area, McGregor's Creek, City of Chatham filed in the office of the Registrar of Regulations at Toronto as Nos. 921 to 923, both inclusive. R.R.O. 1980, Reg. 168, Sched. 2.

Schedule 3

That land along the River Thames from the line between Lots 20 and 21, formerly the Township of Dover and the projection of that line to the south and the mouth of the River Thames at Lake St. Clair, through parts of the City of Chatham, the Township of Dover, the Township of Raleigh and the Township of Tilbury East in the County of Kent and the Township of Tilbury North in the County of Essex, and being those areas shown on defined area maps Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 filed in the office of the Registrar of Regulations at Toronto as Nos. 1283 to 1292, both inclusive. R.R.O. 1980, Reg. 168, Sched. 3.

REGULATION 156

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—LOWER TRENT REGION

1. In this Regulation,

"Authority" means the Lower Trent Region Conservation Authority;

"building" means a building or structure of any kind;

"drainage area" means, for any point, the area that contributes runoff to that point;

"fill" means any material used or capable of being used to raise, lower or in any way affect or alter the contours of the ground, whether on a permanent or temporary basis and whether it originated on the site or elsewhere;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means,

(a) for the main channels of Rice Lake and the Trent River, the rainfall, snowmelt, or the combination of rainfall and snowmelt that would produce the water surface elevations above Canadian Geodetic Datum as set out in Table 1, and

(b) for all watercourses except the main channels of Rice Lake and the Trent River, a storm that produces in a twelve-hour period,

(i) in a drainage area of twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 2, or

(ii) in a drainage area of more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 2 shall be modified by the percentage amount shown in Column 2 of Table 3 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 3:

TABLE 1

WATER SURFACE ELEVATIONS

LOCATION	ELEVATION (Metres)
Rice Lake	187.9
Trent River:	
below Dam #1 (Trenton)	77.2
below Dam #2 (Sydney)	81.3
below Dam #3 (Glen Miller)	87.7
below Dam #4 (Batawa)	95.7
below Dam #5 (Trent)	101.7
below Dam #6 (Frankford)	107.9
below Dam #7 (Glen Ross)	113.5
below Dam #8 (Meyers)	117.9
below Dam #9 (Hagues Reach)	128.1
below Dam #10 (Ranney Falls)	143.4
below Dam #11 (Campbellford)	148.3
below Dam #12 (Crowe Bay)	154.3
below Dam #13 (Healey Falls)	175.5
below Dam #14 (Hastings)	186.7

TABLE 2

DISTRIBUTION OF RAIN

15 mm of rain in the first hour
20 mm of rain in the second hour
10 mm of rain in the third hour
3 mm of rain in the fourth hour
5 mm of rain in the fifth hour
20 mm of rain in the sixth hour
43 mm of rain in the seventh hour
20 mm of rain in the eighth hour
23 mm of rain in the ninth hour
13 mm of rain in the tenth hour
13 mm of rain in the eleventh hour
8 mm of rain in the twelfth hour

TABLE 3

Column 1	Column 2
Drainage Area (in square kilometres)	Percentage
26 to 50 both inclusive	97
51 to 75 both inclusive	94
76 to 100 both inclusive	90
101 to 150 both inclusive	87
151 to 200 both inclusive	84
201 to 250 both inclusive	82
251 to 375 both inclusive	79
376 to 500 both inclusive	76
501 to 750 both inclusive	74
751 to 1000 both inclusive	70
1001 to 1250 both inclusive	68
1251 to 1500 both inclusive	66
1501 to 1800 both inclusive	65
1801 to 2100 both inclusive	64
2101 to 2300 both inclusive	63
2301 to 2600 both inclusive	62
2601 to 3900 both inclusive	58
3901 to 5200 both inclusive	56
5201 to 6500 both inclusive	53
6501 to 8000 both inclusive	50

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 194/89, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 194/89, s. 2.

3. No person shall, except in accordance with permission issued under section 4,

(a) construct a building or permit a building to be constructed in or on a pond or swamp or in any area under the jurisdiction of the Authority that is susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped permanently or temporarily in an area described in the Schedules; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 194/89, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of a building or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse if, in the opinion of the Authority, the construction or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel will not adversely affect the control of flooding or pollution or the conservation of land. O. Reg. 194/89, s. 4.

5.—(1) A signed application for permission to construct a building in or on a pond or swamp or in any area susceptible to flooding during a regional storm shall be filed with the Authority and shall include,

(a) two copies of a plan of the property showing the proposed location of the building, its elevation and the proposed final grade plan;

(b) two copies of a complete description of the type of building to be constructed, including drainage details and the method of construction;

(c) two copies of a statement of the dates between which the construction will be carried out; and

(d) two copies of a statement of the proposed use of the building following completion of the construction.

(2) A signed application for permission to place or dump fill in an area described in the Schedules shall be filed with the Authority and shall include,

(a) two copies of a plan of the property on which the fill is to be placed or dumped, showing the proposed location of the fill, the depth to which it is proposed to be placed or dumped and the proposed final grade of the land when the placing or dumping of fill is completed;

(b) two copies of a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) two copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) two copies of a statement of the proposed use of the land following completion of the placing or dumping of the fill.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) two copies of a plan on which shall be shown in plan view and cross-section the details of the straightening, change, diversion or interference;

(b) two copies of a description of the protective measures to be undertaken and the method to be used to carry out the straightening, change, diversion or interference;

(c) two copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) two copies of a statement of the purpose of the straightening, changing, diverting or interfering. O. Reg. 194/89, s. 5.

6. The Authority may at any time withdraw a permission given under section 4 if, in the opinion of the Authority, the representa-

tions or information contained in the application for permission are false or misleading or are not carried out. O. Reg. 194/89, s. 6.

7. The Authority may appoint officers to enforce this Regulation. O. Reg. 194/89, s. 7.

Schedule 1

BARNUM HOUSE CREEK

That part of the watershed of Barnum House Creek within the Township of Haldimand, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos BH-1 to BH-3 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
Township of Haldimand	A	26	BH-2
	A	27	BH-2
	A	28	BH-2
	A	29	BH-1, BH-2
	A	30	BH-1, BH-2
	A	31	BH-1, BH-2
	B	30	BH-1
	B	31	BH-1
	1	26	BH-2, BH-3
	1	27	BH-2, BH-3
	1	28	BH-2, BH-3

O. Reg. 194/89, Sched. 1.

Schedule 2

RAWDON CREEK

That part of the watershed of Rawdon Creek within the Village of Stirling, formerly the townships of Sidney and Rawdon, and the Township of Sidney and the Township of Rawdon in the County of Hastings, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos RC-1 to RC-5 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
Village of Stirling	9	20	RC-1
(Formerly the Township	9	21	RC-1, RC-2
of Sidney)	9	22	RC-1, RC-2
	9	23	RC-2
	9	24	RC-2, RC-3
Village of Stirling	1	9	RC-5
(Formerly the Township	1	10	RC-2 to RC-5
of Rawdon)	1	11	RC-2, RC-4
Township of Sidney	9	20	RC-1
	9	21	RC-1
	9	22	RC-1
Township of Rawdon	1	8	RC-5

O. Reg. 194/89, Sched 2.

Schedule 3

TROUT CREEK

That part of the watershed of Trout Creek within the Town of Campbellford, formerly the Township of Seymour, and the Township of Seymour in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos TC-1 to TC-4 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
Town of Campbellford	6	8	TC-2
(Formerly the Township	6	9	TC-1, TC-2
of Seymour)			
Township of Seymour	6	5	TC-3, TC-4
	6	6	TC-3, TC-4
	6	7	TC-2
	7	6	TC-3
	7	7	TC-2

O. Reg. 194/89, Sched 3.

Schedule 4

TRENT RIVER

That part of the watershed of the Trent River within the City of Trenton, formerly the Township of Murray in the County of Northumberland, the Village of Frankford, formerly the Township of Sidney, and the Township of Sidney in the County of Hastings, and the Township of Murray, the Township of Brighton, the Township of Seymour, the Township of Percy and the Township of Alnwick, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos TR-1 to TR-9 inclusive, TR-9(a) to TR-9(1) inclusive, TR-10 to TR-22 inclusive, TR-24 to TR-38 inclusive, TR-42 to TR-48 inclusive and TR-50 to TR-57 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
City of Trenton	2	1	TR-1
(Formerly the Township	2	2	TR-1
of Murray)	2	3	TR-1
Village of Frankford	5	2	TR-4
(Formerly the Township	5	3	TR-4
of Sidney)			
Township of Sidney	3	A	TR-2
	3	1	TR-2, TR-3
	3	2	TR-2, TR-3
	3	3	TR-3
	4	1	TR-3
	4	2	TR-3, TR-4
	4	3	TR-3
	6	4	TR-5
	6	5	TR-5, TR-7
	6	6	TR-5
	6	7	TR-5, TR-6
	6	8	TR-6
	7	5	TR-7

Municipality	Concession	Part of Lot	Map Number
	7	6	TR-7
	7	7	TR-6, TR-7
	7	8	TR-6
	7	9	TR-6
	7	10	TR-6
	7	11	TR-6, TR-21
	7	12	TR-6, TR-21
	7	13	TR-6, TR-21
	7	14	TR-21
	7	15	TR-21
	8	A	TR-8, TR-18, TR-19
	8	1	TR-8, TR-19
	8	2	TR-8, TR-19
	8	3	TR-19
	8	4	TR-19
	8	5	TR-19, TR-20
	8	6	TR-19, TR-20
	8	7	TR-20
	8	8	TR-20
	8	9	TR-20
	8	10	TR-20
	8	11	TR-20
	8	12	TR-20, TR-21
	8	13	TR-20, TR-21
	8	14	TR-21
	8	15	TR-21, TR-22
	8	16	TR-21, TR-22
	8	17	TR-21
	9	A	TR-18, TR-19, TR-24
	9	1	TR-19, TR-24
	9	2	TR-19, TR-24
	9	3	TR-19
	9	4	TR-19
	9	5	TR-19
	9	6	TR-19, TR-20
	9	7	TR-20
	9	8	TR-20
	9	9	TR-20
	9	10	TR-20
	9	11	TR-20
	9	12	TR-20
Township of Murray	Gore of Seymour	16	TR-16
		17	TR-16
		18	TR-16, TR-17
		19	TR-17
		20	TR-17
		21	TR-17
		22	TR-17
		27	TR-24
	2	1	TR-2
	2	2	TR-1
	2	3	TR-1
	7	20	TR-9(b), TR-9(c)
	7	21	TR-9(b), TR-9(d), TR-9(e)
	7	22	TR-9(e)
	8	17	TR-9(c)
	8	18	TR-9(b), TR-9(c)
	8	19	TR-9(b) to TR-9(e)
	8	20	TR-9(b) to TR-9(e)
	8	21	TR-9(b), TR-9(e)
	8	22	TR-9(b), TR-9(e)
	9	1	TR-8, TR-18, TR-19
	9	2	TR-8, TR-18
	9	3	TR-8, TR-18
	9	4	TR-18
	9	5	TR-18
	9	6	TR-18
	9	9	TR-17
	9	10	TR-10, TR-17
	9	11	TR-10
	9	12	TR-10
	9	13	TR-10
	9	14	TR-10
	9	15	TR-11
	9	16	TR-9(c), TR-11
	9	17	TR-9(c), TR-11
	9	18	TR-9(b), TR-9(c), TR-11
	9	19	TR-9(b), TR-11
	9	20	TR-9(b), TR-11
	9	21	TR-9(b), TR-11
	9	22	TR-9(b), TR-11, TR-12
	10	1	TR-18
	10	2	TR-18
	10	3	TR-18
	10	4	TR-18
	10	5	TR-18
	10	6	TR-17, TR-18
	10	7	TR-17, TR-18
	10	8	TR-17
	10	9	TR-17
	10	10	TR-17
	10	11	TR-17
	10	12	TR-10, TR-16, TR-17
	10	13	TR-10, TR-16
	10	14	TR-10, TR-16
	10	15	TR-10, TR-16
	10	16	TR-11, TR-16
	10	17	TR-11
	10	18	TR-11
	10	22	TR-12
Township of Brighton	6	23	TR-9(e)
	6	24	TR-9(e) TR-9(i)
	6	25	TR-9(e) TR-9(i)
	6	26	TR-9(i)
	6	27	TR-9(h), TR-9(i)
	6	28	TR-9(h)
	7	23	TR-9(e)
	7	24	TR-9(e)
	7	25	TR-9(e), TR-9(i)

Municipality	Concession	Part of Lot	Map Number
	7	26	TR-9(e), TR-9(i)
	7	27	TR-9(e), TR-9(f), TR-9(h), TR-9(i)
	7	28	TR-9(f), TR-9(h), TR-9(i)
	7	29	TR-9(f)
	7	30	TR-9(f)
	7	31	TR-9(f)
	8	23	TR-9(b), TR-9(e)
	8	24	TR-9(b), TR-9(e)
	8	25	TR-9(a), TR-9(b)
	8	26	TR-9(a), TR-9(b), TR-9(f)
	8	27	TR-9(a), TR-9(f)
	8	28	TR-9(a), TR-9(f)
	8	29	TR-9(a), TR-9(f)
	8	30	TR-9(a), TR-9(f)
	8	31	TR-9(a), TR-9(f), TR-9(g)
	8	32	TR-9(a), TR-9(g)
	8	33	TR-9(g)
	8	34	TR-9(g)
	8	35	TR-9(g)
	9	23	TR-9(b), TR-12
	9	24	TR-9(a), TR-9(b), TR-12
	9	25	TR-9(a), TR-12
	9	26	TR-9(a), TR-12
	9	27	TR-9(a), TR-12
	9	28	TR-9(a), TR-12, TR-13
	9	29	TR-9, TR-9(a), TR-13
	9	30	TR-9, TR-9(a), TR-13
	9	31	TR-9, TR-9(a), TR-13
	9	32	TR-9
	9	33	TR-9
	10	23	TR-12
	10	24	TR-12
	10	25	TR-12
	10	26	TR-12
	10	27	TR-12
	10	30	TR-13
	10	31	TR-13
	10	32	TR-9, TR-13
	10	33	TR-9
Township of Seymour	Gore	4	TR-13
	Gore	5	TR-13
	Gore	6	TR-13
	Gore	7	TR-13
	Gore	8	TR-12, TR-13
	Gore	9	TR-12
	Gore	10	TR-12
	Gore	11	TR-12
	Gore	12	TR-11, TR-12, TR-15
	Gore	13	TR-11, TR-15
	Gore	14	TR-11, TR-15, TR-16
	Gore	19	TR-17
	Gore	20	TR-17
	Gore	22	TR-18
	Gore	23	TR-18
	Gore	24	TR-18
	Gore	25	TR-18
	Gore	26	TR-18
	1	5	TR-13, TR-14
	1	6	TR-13, TR-14
	1	7	TR-13
	1	10	TR-15
	1	11	TR-15
	1	13	TR-15
	1	14	TR-15, TR-16
	1	15	TR-16
	1	16	TR-16
	1	17	TR-16, TR-17
	1	18	TR-16, TR-17, TR-26
	1	19	TR-17, TR-26
	1	20	TR-17, TR-26
	1	21	TR-17, TR-25, TR-26
	1	22	TR-17, TR-25
	1	23	TR-18, TR-25
	1	24	TR-18, TR-25
	1	25	TR-24, TR-25
	1	26	TR-24
	2	4	TR-14
	2	5	TR-14
	2	6	TR-14
	2	7	TR-14
	2	18	TR-26
	2	19	TR-26
	2	20	TR-26
	2	21	TR-26
	2	22	TR-25
	2	23	TR-25
	2	24	TR-25
	3	5	TR-14
	3	6	TR-14, TR-27
	3	7	TR-14, TR-27
	3	8	TR-14, TR-27
	3	9	TR-27
	4	7	TR-27
	4	8	TR-27
	7	12	TR-28
	7	13	TR-28, TR-29
	7	14	TR-29
	7	15	TR-29
	8	14	TR-29, TR-30

Municipality	Concession	Part of Lot	Map Number
	8	15	TR-29, TR-30
	9	14	TR-30
	9	15	TR-30
	9	16	TR-30, TR-31
	9	17	TR-30, TR-31
	10	15	TR-30, TR-32
	10	16	TR-30, TR-31, TR-32
	10	17	TR-30, TR-31
	10	18	TR-31
	10	19	TR-31
	11	11	TR-33
	11	12	TR-33
	11	13	TR-33
	11	15	TR-32
	11	16	TR-32
	11	17	TR-31
	11	18	TR-31
	11	19	TR-31
	12	1	TR-42
	12	2	TR-42
	12	7	TR-34
	12	8	TR-34
	12	9	TR-33, TR-34, TR-36
	12	10	TR-33, TR-36
	12	11	TR-33, TR-36
	12	12	TR-33, TR-36
	12	13	TR-32, TR-33, TR-35
	12	14	TR-32, TR-35
	12	15	TR-32
	12	16	TR-32
	12	17	TR-32
	13	1	TR-42
	13	2	TR-38, TR-42
	13	3	TR-38, TR-42
	13	4	TR-38
	13	6	TR-34, TR-37
	13	7	TR-34, TR-37
	13	8	TR-36, TR-37
	13	9	TR-36
	13	10	TR-36
	13	11	TR-36
	13	12	TR-36
	13	13	TR-35
	13	14	TR-35
	14	2	TR-38
	14	3	TR-38
	14	4	TR-38
	14	5	TR-37
	14	6	TR-37
	14	7	TR-37
	14	8	TR-37
	14	9	TR-36
	14	10	TR-36
	14	11	TR-36
	14	12	TR-36
	14	13	TR-35
	14	14	TR-35
Township of Percy	10	3	TR-50
	10	4	TR-48
	11	3	TR-48
	11	4	TR-48
	11	5	TR-48
	11	6	TR-47, TR-48
	11	7	TR-47
	11	8	TR-47
	11	9	TR-47
	11	10	TR-47
	11	11	TR-46, TR-47
	13	18	TR-45
	13	19	TR-45
	13	20	TR-44, TR-45
	13	21	TR-44
	14	21	TR-43
	14	22	TR-43
	14	23	TR-43
	15	23	TR-43
	15	24	TR-42, TR-43
Township of Alnwick	1	1	TR-57
	1	2	TR-56, TR-57
	1	3	TR-56
	2	3	TR-56
	2	4	TR-56
	2	5	TR-56
	3	3	TR-56
	3	4	TR-56
	3	5	TR-55, TR-56
	3	6	TR-56
	3	7	TR-55
	3	8	TR-55
	3	9	TR-54, TR-55
	3	10	TR-54
	3	11	TR-54
	3	12	TR-54
	4	5	TR-55
	4	6	TR-55
	4	7	TR-55
	4	8	TR-55
	4	9	TR-55
	4	10	TR-54
	4	11	TR-54
	4	12	TR-53, TR-54
	4	13	TR-53
	5	14	TR-53
	5	15	TR-52, TR-53
	6	15	TR-52
	6	16	TR-52
	6	17	TR-52
	6	18	TR-52
	7	17	TR-52
	7	18	TR-51, TR-52
	7	19	TR-51, TR-52
	7	20	TR-51
	7	21	TR-50, TR-51
	7	22	TR-50
	7	23	TR-50
	7	24	TR-50

O. Reg. 194/89, Sched. 4.

Schedule 5

SHELTER VALLEY CREEK

That part of the watershed of Shelter Valley Creek within the Township of Haldimand, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos SV-1 to SV-16 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
Township of Haldimand	A	16	SV-4
	A	17	SV-3
	A	18	SV-2, SV-3
	A	19	SV-2, SV-3
	A	20	SV-1, SV-2
	A	21	SV-1, SV-2
	A	22	SV-2
	B	19	SV-1
	B	20	SV-1
	B	21	SV-1
	1	14	SV-4, SV-5
	1	15	SV-4, SV-5
	1	16	SV-4
	1	17	SV-3, SV-4
	1	18	SV-3
	2	13	SV-6
	2	14	SV-5, SV-6
	2	15	SV-5
	3	8	SV-11
	3	9	SV-11
	3	10	SV-11
	3	11	SV-11, SV-12
	3	12	SV-6, SV-11, SV-12
	3	13	SV-6, SV-11
	3	14	SV-6
	3	15	SV-6, SV-7
	3	16	SV-7
	3	17	SV-7
	3	18	SV-7
	3	19	SV-7, SV-8
	3	20	SV-8
	4	11	SV-12
	4	12	SV-12
	4	13	SV-12, SV-13
	4	14	SV-12, SV-13
	4	15	SV-13
	4	19	SV-8, SV-9, SV-10
	4	20	SV-8, SV-9, SV-10
	4	21	SV-9, SV-10
	5	10	SV-14
	5	11	SV-14
	5	12	SV-14, SV-15
	5	13	SV-13, SV-14, SV-15
	5	14	SV-13, SV-15
	5	15	SV-13, SV-15, SV-16
	6	11	SV-14
	6	12	SV-14, SV-15
	6	13	SV-15
	6	15	SV-16

O. Reg. 194/89, Sched. 5.

Schedule 6

COLBORNE CREEK—COLBORNE

That part of the watershed of Colborne Creek within the Village of Colborne, formerly the Township of Cramahe, and the Township of Cramahe, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos CC-2 to CC-7 inclusive, and Map Nos CC-9 to CC-11 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
Village of Colborne (Formerly the Township of Cramahe)	2	28	CC-3, CC-4
	2	28	CC-3, CC-7
	2	29	CC-7
	2	30	CC-7
	2	31	CC-2
	2	32	CC-2, CC-6
	2	33	CC-5
	2	34	CC-5, CC-9
	2	32	CC-6
	1	29	CC-7
	1	30	CC-7
	1	30	CC-6, CC-10
	1	31	CC-6, CC-10
	1	32	CC-6, CC-10
Township of Cramahe	1	33	CC-10
	1	34	CC-9, CC-11
	1	35	CC-9
	2	33	CC-5
	2	34	CC-5

O. Reg. 194/89, Sched. 6.

Schedule 7

MILL CREEK

That part of the watershed of Mill Creek within the Police Village of Warkworth in the Township of Percy, and the Township of Percy, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos MC-1, MC-2, MC-2(a) and MC-3 to MC-8 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
The Police Village of Warkworth in the Township of Percy	2	9	MC-7
	2	10	MC-7
	2	11	MC-5
	3	8	MC-8
	3	9	MC-8
	3	10	MC-6, MC-7
	3	11	MC-5, MC-6, MC-7
	3	12	MC-S

MUNICIPALITY	CONCESSION	PART OF LOT	MAP NUMBER
	3	13	MC-4, MC-5
	3	14	MC-4
	3	15	MC-3
	3	16	MC-2, MC-2(a), MC-3
	3	17	MC-2
	3	18	MC-1, MC-2
	3	19	MC-1
Township of Percy	3	13	MC-5
	3	14	MC-5
	3	15	MC-5
	3	18	MC-1
	3	17	MC-1

O. Reg. 194/89, Sched. 7.

Schedule 8

BUTLER CREEK

That part of the watershed of Butler Creek within the Town of Brighton, formerly the Township of Brighton, and the Township of Brighton, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos BC-2, BC-2(a) and BC-3 to BC-5 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

MUNICIPALITY	CONCESSION	PART OF LOT	MAP NUMBER
Town of Brighton (Formerly the Township of Brighton)	BF	32	BC-2
	BF	33	BC-2
	BF	34	BC-2
	BF	35	BC-2
	B	33	BC-2
	B	34	BC-2
	B	35	BC-2, BC-3
	1	1	BC-3
	1	2	BC-3
	1	3	BC-3, BC-4
	2	1	BC-4, BC-5
	2	2	BC-4, BC-5
	2	3	BC-4
	A	35	BC-5
Township of Brighton	3	1	BC-5
	A	35	BC-5

O. Reg. 194/89, Sched. 8.

Schedule 9

KILLORAN CREEK

That part of the watershed of Killoran Creek within the Village of Hastings, formerly the Township of Percy, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos KC-1 and KC-2, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

MUNICIPALITY	CONCESSION	PART OF LOT	MAP NUMBER
Village of Hastings (Formerly the Township of Percy)	12	14	KC-1, KC-2
	12	15	KC-1, KC-2

O. Reg. 194/89, Sched. 9.

Schedule 10

MAYHEW CREEK

That part of the watershed of Mayhew Creek within the City of Trenton, formerly the Township of Murray, and the Township of Murray, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos MA-1 to MA-4 inclusive, and identified by a stamp of the Registrar of Regulatlons dated the 23rd day of February, 1989.

MUNICIPALITY	CONCESSION	PART OF LOT	MAP NUMBER
City of Trenton (Formerly the Township of Murray)	1	4	MA-4
	1	5	MA-4
	1	6	MA-4
	2	5	MA-2, MA-4
Township of Murray	1	6	MA-3, MA-4
	1	7	MA-3, MA-4
	2	6	MA-2, MA-4
	2	7	MA-1, MA-2, MA-3
	2	8	MA-1, MA-3

O. Reg. 194/89, Sched. 10.

Schedule 11

D.N.D. CREEK

That part of the watershed of D.N.D. Creek within the City of Trenton, formerly the Township of Sidney, and the Township of Sidney, in the County of Hastings, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos DND-1 to DND-7 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

MUNICIPALITY	CONCESSION	PART OF LOT	MAP NUMBER
City of Trenton (Formerly the Township of Sidney)	B.F.	A	DND-2, DND-3
	B.F.	1	DND-3
	1	A	DND-2, DND-3, DND-4, DND-5
	1	1	DND-3, DND-4
	1	2	DND-3, DND-4
	1	3	DND-3
Township of Sidney	B.F.	3	DND-1
	B.F.	2	DND-1
	B.F.	1	DND-1
	B.F.	A	DND-1
	1	1	DND-5

Municipality	Concession	Part of Lot	Map Number
	1	2	DND-5, DND-6
	1	3	DND-6
	2	1	DND-5
	2	2	DND-5, DND-6
	2	3	DND-6
	2	4	DND-6, DND-7
	2	5	DND-6, DND-7
	2	6	DND-7

O. Reg. 194/89, Sched. 11.

Schedule 12

GLEN MILLER CREEK

That part of the watershed of Glen Miller Creek within the City of Trenton, formerly the Township of Murray, and the Township of Sidney in the County of Hastings, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos GM-1 to GM-4 inclusive, GM-4A and GM-5 to GM-8 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
City of Trenton (Formerly the Township of Murray)	2	A	GM-2
	2	1	GM-1, GM-2
	2	2	GM-1, GM-2
Township of Sidney	2	A	GM-3, GM-4,
	2	1	GM-4A
			GM-3, GM-4
	2	2	GM-4, GM-6
	2	3	GM-4, GM-5, GM-6, GM-7
	3	2	GM-4, GM-6
	3	3	GM-6, GM-7
	3	4	GM-6, GM-7
	3	5	GM-7, GM-8
	3	6	GM-7, GM-8

O. Reg. 194/89, Sched. 12.

Schedule 13

TRENT RIVER—PERCY BOOM

That part of the watershed of the Trent River within the Township of Seymour in the County of Hastings, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos TR-PB-1 to TR-PB-3 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
Township of Seymour	Gore	31	TR-PB-1
	Gore	32	TR-PB-1
	1	5	TR-PB-1, TR-PB-2
	1	6	TR-PB-1, TR-PB-2
	2	4	TR-PB-3
	2	5	TR-PB-2, TR-PB-3
	2	6	TR-PB-2

O. Reg. 194/89, Sched. 13.

Schedule 14

TRENT RIVER—TRENTON

That part of the watershed of the Trent River within the City of Trenton, formerly the Township of Murray, in the County of Northumberland, and formerly the Township of Sidney in the County of Hastings, and the Township of Murray, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos TR-T-1 to TR-T-4 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

Municipality	Concession	Part of Lot	Map Number
City of Trenton (Formerly the Township of Murray)	A	1	TR-T-4
	1	1	TR-T-3, TR-T-4
	1	2	TR-T-2, TR-T-3
	1	3	TR-T-2, TR-T-3
	1	4	TR-T-3
	2	3	TR-T-1, TR-T-2
	2	4	TR-T-2
City of Trenton (Formerly the Township of Sidney)	BF	A	TR-T-4
Township of Murray	2	3	TR-T-1
	2	2	TR-T-1

O. Reg. 194/89, Sched. 14.

Schedule 15

TRENT RIVER—FRANKFORD

That part of the watershed of the Trent River within the Village of Frankford, formerly the Township of Sidney, and the Township of Sidney, in the County of Hastings, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontarlo, as Map Nos TR-F-1 to TR-F-4 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

MUNICIPALITY	CONCESSION	PART OF LOT	MAP NUMBER
Village of Frankford	5	2	TR-F-1
(Formerly the Township	5	3	TR-F-1,
of Sidney)			TR-F-2,
			TR-F-3
	5	4	TR-F-1,
			TR-F-2,
			TR-F-3
	5	5	TR-F-3
	6	3	TR-F-3,
			TR-F-4
	6	4	TR-F-3,
			TR-F-4
	6	5	TR-F-3,
			TR-F-4
	6	6	TR-F-4
Township of Sidney	6	4	TR-F-4
	6	5	TR-F-4
	6	6	TR-F-4
	6	7	TR-F-4

O. Reg. 194/89, Sched. 15.

Schedule 16

TRENT RIVER—CAMPBELLFORD

That part of the watershed of the Trent River within the Town of Campbellford, formerly the Township of Seymour, and the Township of Seymour, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos TR-C-1 to TR-C-5 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

MUNICIPALITY	CONCESSION	PART OF LOT	MAP NUMBER
Town of Campbellford	4	8	TR-C-1
(Formerly the Township	4	9	TR-C-1
of Seymour)			
	5	8	TR-C-2
	5	9	TR-C-2
	6	10	TR-C-3
	6	11	TR-C-4
	7	12	TR-C-5
	7	11	TR-C-5
Township of Seymour	4	8	TR-C-1
	4	9	TR-C-1
	7	11	TR-C-4
	7	12	TR-C-4

O. Reg. 194/89, Sched. 16.

Schedule 17

TRENT RIVER—HASTINGS

That part of the watershed of the Trent River within the Village of Hastings, formerly the Township of Percy, and the Township of Percy, in the County of Northumberland, that affects the following lots, as shown delineated by fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario, as Map Nos TR-H-1 to TR-H-5 inclusive, and identified by a stamp of the Registrar of Regulations dated the 23rd day of February, 1989.

MUNICIPALITY	CONCESSION	PART OF LOT	MAP NUMBER
Village of Hastings	12	12	TR-H-5
(Formerly the Township	12	13	TR-H-4,
of Percy)			TR-H-5
	12	14	TR-H-3,
			TR-H-4
	13	14	TR-H-2
	13	15	TR-H-2
	13	16	TR-H-1,
			TR-H-2
Township of Percy	11	12	TR-H-5
	12	12	TR-H-5
	13	15	TR-H-2
	13	16	TR-H-2
	13	17	TR-H-1,
			TR-H-2

O. Reg. 194/89, Sched. 17.

REGULATION 157

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—MATTAGAMI REGION

1. In this Regulation,

"Authority" means the Mattagami Region Conservation Authority;

"building" means a building or structure of any kind;

"fill" means any material used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedule;

"regional storm" means,

(a) for the main channel of the Mattagami River, the rainfall, snowmelt or the combination of rainfall and snowmelt, that would produce at Sandy Falls a peak flow of 807 cubic metres per second,

(b) for rivers, streams and watercourses other than the main channel of the Mattagami River, a storm producing in a twelve hour period, on a drainage area of,

(i) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(ii) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority.

TABLE 1

Distribution of Regional Storm Rainfall—
Watershed Area square kilometres or less
15 mm of rain in the first hour
20 mm of rain in the second hour
10 mm of rain in the third hour
3 mm of rain in the fourth hour
5 mm of rain in the fifth hour
20 mm of rain in the sixth hour
43 mm of rain in the seventh hour
20 mm of rain in the eighth hour
23 mm of rain in the ninth hour
13 mm of rain in the tenth hour
13 mm of rain in the eleventh hour
8 mm of rain in the twelfth hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (Square Kilometres)	Percentage
26 to 50 both inclusive	97
51 to 75 both inclusive	94
76 to 100 both inclusive	90
101 to 150 both inclusive	87
151 to 200 both inclusive	84
201 to 250 both inclusive	82
251 to 375 both inclusive	79
376 to 500 both inclusive	76
501 to 750 both inclusive	74
751 to 1000 both inclusive	70
1001 to 1250 both inclusive	68
1251 to 1500 both inclusive	66
1501 to 1800 both inclusive	65
1801 to 2100 both inclusive	64
2101 to 2300 both inclusive	63
2301 to 2600 both inclusive	62
2601 to 3900 both inclusive	58
3901 to 5200 both inclusive	56
5201 to 6500 both inclusive	53
6501 to 8000 both inclusive	50

O. Reg. 611/86, s. 1.

2. The areas described in the Schedule are areas which, in the opinion of the Authority, are susceptible to flooding during a regional storm and may be affected by the placing or dumping of fill. O. Reg. 611/86, s. 2.

3. No person shall,

(a) construct any building or permit any building to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in any area described in the Schedule whether the fill is already located in or upon the area, or brought to or on the area from some other place; or

(c) straighten, change, divert or interfere in any way with the existing channel or of river, creek, stream or watercourse,

except in accordance with a permission issued under section 4. O. Reg. 611/86, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of the land. O. Reg. 611/86, s. 4.

5.—(1) A signed application for permission to construct a building must be filed with the Authority and include,

(a) four copies of a plan of the property showing the proposed location of the building, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the building following completion of the construction.

(2) A signed application for permission to place or dump fill must be filed with the Authority and include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completing of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse must be filed with the Authority and include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 611/86, s. 5.

6. Members of the staff of the Authority are appointed officers to enforce this Regulation. O. Reg. 611/86, s. 6.

Schedule 1

MATTAGAMI RIVER

1. That part of the Mattagami River watershed within the City of Timmins, in the Township of Mountjoy, commencing at Sandy Falls dam extending upstream to the Mountjoy Township — Ogden Township boundary and thence southerly into the Township of Ogden for a distance of 1.02 kilometres.

KRAFT CREEK

2. That part of the Kraft Creek watershed in the City of Timmins, in the Township of Mountjoy, from its confluence with the Mattagami River, upstream to a point 0.51 kilometres, north of Laforest Road.

TOWN CREEK

3. That part of the Town Creek watershed in the City of Timmins, in the Township of Mountjoy and The Township of Tisdale, from its confluence with the Mattagami River, upstream for a distance of 3.58 kilometres.

MOUNTJOY RIVER

4. That part of the watershed of the Mountjoy River, in the City of Timmins, in the Township of Mountjoy, from its confluence with the Mattagami River extending upstream for a distance of 4.83 kilometres and including the shoreline of Miller Lake.

GILLIES LAKE

5. The shoreline of Gillies Lake, in the City of Timmins, in the Township of Tisdale.

PEARL LAKE

6. The shoreline of Pearl Lake, in the City of Timmins, in the Township of Tisdale.

PORCUPINE RIVER
(upstream Porcupine Lake)

7. That part of the Porcupine River watershed in the City of Timmins, in the Township of Tisdale, from its headwaters at Pearl Lake extending downstream to Porcupine Lake.

SOUTH PORCUPINE RIVER

8. That part of the South Porcupine River watershed in the City of Timmins, in the Township of Tisdale, from its confluence with the Porcupine River, upstream for a distance of 0.65 kilometres.

PORCUPINE LAKE

9. The shoreline of Porcupine Lake, and all tributaries to Porcupine Lake, in the City of Timmins, in the Townships of Tisdale and Whitney.

BOB'S LAKE

10. The shoreline of Bob's Lake, in the City of Timmins, in the Township of Whitney.

BOB'S CREEK

11. That part of the watershed of Bob's Creek in the City of Timmins, in the Township of Whitney, from its headwaters at Bob's Lake, extending downstream to Porcupine Lake.

PORCUPINE RIVER
(downstream Porcupine Lake)

12. That part of the Porcupine River watershed in the City of Timmins, in the Township of Whitney, from Porcupine Lake and thence downstream for a distance of 4.19 kilometres.

THREE NATIONS LAKE

13. The shoreline of Three Nations Lake, in the City of Timmins, in the Township of Whitney, and that part of the watershed of an unnamed creek extending downstream from Three Nations Lake for a distance of 2.45 kilometres.

PORCUPINE RIVER
(at Hoyle)

14. That part of the Porcupine River watershed in the City of Timmins, in the Township of Matheson, commencing at a point 2.16 kilometres north of Highway No. 610 and thence southerly to a point 1.26 kilometres south of Highway No. 101.

KAMISKOTIA LAKE

15. The shoreline of Kamiskotia Lake, and its tributaries, in the City of Timmins, in the Township of Robb.

As shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Timmins, as Nos. MR-1 to MR-38, both inclusive. O. Reg. 611/86, Sched. 1.

REGULATION 158

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—METROPOLITAN TORONTO AND REGION

1. In this Regulation,

"Authority" means The Metropolitan Toronto and Region Conservation Authority;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower, or in any way, affect the contours of the ground;

"regional storm" means a storm producing in a forty-eight hour period, in a drainage area of,

(a) 25 square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than 25 square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

73 millimetres of rain in the first 36 hours
6 millimetres of rain in the 37th hour
4 millimetres of rain in the 38th hour
6 millimetres of rain in the 39th hour
13 millimetres of rain in the 40th hour
17 millimetres of rain in the 41st hour
13 millimetres of rain in the 42nd hour
23 millimetres of rain in the 43rd hour
13 millimetres of rain in the 44th hour
13 millimetres of rain in the 45th hour
53 millimetres of rain in the 46th hour
38 millimetres of rain in the 47th hour
13 millimetres of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7
2201 to 2500 both inclusive	70.2
2501 to 2100 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 293/86, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or conservation of land may be affected by the placing or dumping of fill. O. Reg. 293/86, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places;

(c) straighten, change, divert or interfere in.any way with the existing channel of a river, creek, stream or watercourse. O. Reg. 293/86, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit, in writing, the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 293/86, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 293/86, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include four copies of,

(a) a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) a complete description of the type of building or structure to be constructed, including drainage details and the method of construction;

(c) a statement of the dates between which the construction will be carried out; and

(d) a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include four copies of,

(a) a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) a statement of the dates between which the placing or dumping will be carried out; and

(d) a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse, shall be filed with the Authority and shall include four copies of,

(a) a plan on which shall be shown in plan view and cross-section the details of such straightening, changing, diverting or interfering;

(b) a description of the protective measures to be undertaken and the method to be used to carry out such straightening, changing, diverting or interfering;

(c) a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) a statement of the purpose of the proposed work. O. Reg. 293/86, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if the representations contained in the application for permission are not carried out. O. Reg. 293/86, s. 7.

8. The Authority may appoint, from time to time, officers to enforce this Regulation. O. Reg. 293/86, s. 8.

Schedule 1

ETOBICOKE CREEK

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Etobicoke Creek extending northerly from

Lake Ontario, as shown delineated by the line designated as the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.1-1 to M.T.R.1-8; M.T.R.1-13 to M.T.R.1-27; M.T.R.1-30 to M.T.R.1-46, all inclusive, dated November, 1976 and M.T.R.1-9 to M.T.R.1-12 and M.T.R.1-28 and M.T.R.1-29, all inclusive, dated April, 1981. O. Reg. 293/86, Sched. 1.

Schedule 2

MIMICO CREEK

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Mimico Creek extending northerly from Lake Ontario, as shown delineated by the line designated as the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.2-1 to M.T.R.2-18, both inclusive, dated November, 1976 and M.T.R.2-11A and M.T.R.2-11B, dated April, 1981. O. Reg. 293/86, Sched. 2.

Schedule 3

HUMBER RIVER

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Humber River extending northerly from Lake Ontario, as shown delineated by the line designated as the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.3-1 to M.T.R.3-138, both inclusive, dated April, 1977 and M.T.R.3-119A dated April, 1983. O. Reg. 293/86, Sched. 3.

Schedule 4

DON RIVER

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Don River extending northerly from Lake Ontario, as shown delineated by the line designated as the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.4-1 to M.T.R.4-24 and M.T.R.4-26 to M.T.R.4-51, both inclusive, dated April, 1977 and M.T.R.4-23A and M.T.R.4-25, both inclusive, dated April, 1981. O. Reg. 293/86, Sched. 4.

Schedule 5

HIGHLAND CREEK

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Highland Creek extending northerly from Lake Ontario, as shown delineated by the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.5-1 to M.T.R.5-16, both inclusive, dated April, 1977 and M.T.R.5-6A dated April, 1981. O. Reg. 293/86, Sched. 5.

Schedule 6

ROUGE RIVER

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Rouge River extending northerly from Lake Ontario, as shown delineated by the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.6-1 to M.T.R.6-49, both inclusive, dated April, 1977. O. Reg. 293/86, Sched. 6.

Schedule 7

PETTICOAT CREEK

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Petticoat Creek extending northerly from Lake Ontario, as shown delineated by the line designated as the fill regulation line on maps filed in the ofhce of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.7-1 to M.T.R.7-4, both inclusive, dated April, 1977. O. Reg. 293/86, Sched. 7.

Schedule 8

DUFFIN CREEK

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Duffin Creek extending northerly from Lake Ontario, as shown delineated by the line designated as the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.8-1 to M.T.R.8-45, both inclusive, dated April, 1977. O. Reg. 293/86, Sched. 8.

Schedule 9

CARRUTHER'S CREEK

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Carruther's Creek extending northerly from Lake Ontario, as shown delineated by the line designated as the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.9-1 to M.T.R.9-4, both inclusive, dated April, 1977 and M.T.R.9-5 to M.T.R.9-9, both inclusive, dated November, 1976. O. Reg. 293/86, Sched. 9.

Schedule 10

WATERFRONT

That part of the area over which The Metropolitan Toronto and Region Conservation Authority has jurisdiction comprising that part of the watershed of the Waterfront extending northerly from Lake Ontario, as shown delineated by the line designated as the fill regulation line on maps filed in the office of the Central Region of the Ministry of Natural Resources at Richmond Hill as Nos. M.T.R.10-1 to M.T.R.10-29, both inclusive, dated November, 1980. O. Reg. 293/86, Sched. 10.

REGULATION 159

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—THE MISSISSIPPI VALLEY

1. In this Regulation,

"Authority" means The Mississippi Valley Conservation Authority;

"building" means a building or structure of any kind;

"drainage area" means, for a point, the area that contributes runoff to that point;

"fill" means any material used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means a line designated as such on the maps referred to in the Schedules;

"mm" means millimetres;

"regional storm" means the rainfall, snowmelt, or combination of rainfall and snowmelt that would produce at a specific point in the river a peak flow which has the probability of occurrence of 1 per cent during any one year;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 211/88, s. 1.

2. The areas described in the Schedules are areas that, in the opinion of the Authority, are susceptible to flooding during a regional storm and may be affected by the placing or dumping of fill. O. Reg. 211/88, s. 2.

3. No person shall,

(a) construct a building or permit a building to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in an area described in the Schedules whether the fill is already located in or upon the area or brought to or on the area from some other place; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, stream, creek or watercourse, except in accordance with a permit issued under section 4. O. Reg. 211/88, s. 3.

4. Subject to the *Ontario Water Resources Act*, the Authority may permit in writing the construction of a building or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the construction, the placing or dumping or the straightening, changing, diverting or interfering will not affect the control of flooding or pollution or the conservation of land. O. Reg. 211/88, s. 4.

5.—(1) A signed application for permission to construct a building shall be filed with the Authority and shall include four copies of,

(a) a plan of property showing the proposed location of the building, its elevation and the proposed final grade line;

(b) a complete description of the type of building to be constructed, including drainage details and methods of construction;

(c) a statement of the dates between which the construction will be carried out; and

(d) a statement of the proposed use of the building following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include four copies of,

(a) a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) a complete description of the type of fill proposed to be placed or dumped;

(c) a statement of the dates between which the placing or dumping will be carried out; and

(d) a statement of the proposed use of the land following completion of the placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse shall be filed with the Authority and shall include four copies of,

(a) a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) a description of the protective measures to be undertaken and the method to be used to carry out the straightening, change, diversion or interference;

(c) a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) a statement of the purpose of the proposed work. O. Reg. 211/88, s. 5.

6. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for the permission are not carried out. O. Reg. 211/88, s. 6.

7. Members of the staff of the Authority are appointed officers to enforce this Regulation. O. Reg. 211/88, s. 7.

Schedule 1

OTTAWA RIVER

That part of the watershed of the Ottawa River extending from the outlet of the Mississippi River into Marshall Bay to Shirleys Bay within the Township of West Carleton and the City of Nepean, in The Regional Municipality of Ottawa-Carleton, affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 1 to 87, and Mississippi River Series Map No. 20 and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In the Township of West Carleton in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
V	(Fitzroy)	parts of 25 to 26 inclusive
VI	(F)	parts of 25 to 27 inclusive
VII	(F)	parts of 26 and 27
VIII	(F)	parts of 24 and 25
IX	(F)	parts of 23
X	(F)	parts of 23 to 27 inclusive
A to F	(F)	
I	(Torbolton)	parts of 27
II	(T)	parts of 25 to 27 inclusive
III	(T)	parts of 23 to 25 inclusive
IV	(T)	parts of 10 to 23 inclusive
V	(T)	parts of 9 to 20 inclusive
VI	(T)	parts of 9 to 12 inclusive
VII	(T)	parts of 6 to 9 inclusive
VIII	(T)	parts of 1 to 7 inclusive
A	(T)	

2. In the City of Kanata in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
V	(March)	parts of 12 to 14 inclusive
VI	(M)	parts of 11 to 14 inclusive
VII	(M)	parts of 11 and 24
VIII	(M)	parts of 24 and 27

3. In the City of Nepean in The Regional Municipality of Ottawa-Carleton.

CONCESSION	*LOT*
A	parts of 4 to 6 inclusive
B	parts of 1 to 3 inclusive

OTTAWA RIVER (SOUTH BRANCH)

4. In the Township of West Carleton in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
V	(F)	parts of 24
VI	(F)	parts of 22 to 24 inclusive
VII	(F)	parts 22 and 23
VIII	(F)	parts of 21 to 23 inclusive
IX	(F)	parts of 21 to 23 inclusive

O. Reg. 211/88, Sched. 1.

Schedule 2

CARP RIVER

That part of the watershed of the Carp River extending from the headwaters in the City of Nepean, through the Township of Goulbourn to the mouth of the river at Fitzroy Harbour in the Township of West Carleton all in The Regional Municipality of Ottawa-Carleton affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 21 to 27 Mississippi River Series, CG1 to CG2, FH1 to FH4, and C1 to C2 and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In the City of Kanata in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
I	(March)	parts of 1 to 10 inclusive
VI	(Nepean)	parts of 33
XI	(Goulbourn)	parts of 29 to 32 inclusive
XII	(G)	parts of 29

2. In West Carleton Township in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
VI	(Fitzroy)	parts of 11 and 12
VII	(F)	parts of 6 to 15 inclusive
VIII	(F)	parts of 14 to 16 and 1 to 10 inclusive
IX	(F)	parts of 1, 15 and 16
X	(F)	parts of 16 to 27 inclusive
I	(Huntley)	parts of 8 to 14 inclusive
II	(H)	parts of 13 to 17 inclusive
III	(H)	parts of 17 to 25 inclusive
IV	(H)	parts of 23 to 27 inclusive

O. Reg. 211/88, Sched. 2.

Schedule 3

MISSISSIPPI RIVER

That part of the watershed of the Mississippi River extending from its outlet at Mississippi Lake in Beckwith Township through Ramsay and Pakenham townships, all in the County of Lanark, to its mouth at the Ottawa River in West Carleton Township in The Regional Municipality of Ottawa-Carleton affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 1 to 9 and 9a Mississippi River Series, CP1 to CP2, C1 to C2, G1 to G2, P1, B1, AP1 and A1 to A2 and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In Beckwith Township in the County of Lanark.

CONCESSION	*LOT*
XI	parts of 11 to 13 and 17 to 20 inclusive
XII	parts of 11 to 20 inclusive

2. In Ramsay Township in the County of Lanark.

CONCESSION	*LOT*
VIII	parts of 1
IX	parts of 1 to 27 inclusive
X	parts of 2 to 15 inclusive

3. In Pakenham Township in the County of Lanark.

CONCESSION	*LOT*
IX	parts of 1 to 6 inclusive
X	parts of 3 to 10 inclusive
XI	parts of 1 to 12 inclusive
XII	parts of 12 and 13

4. In West Carleton Township in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
I	(Fitzroy)	parts of 12 to 15 inclusive
II	(F)	parts of 13 to 15 inclusive
III	(F)	parts of 15 and 16
IV	(F)	parts of 15 to 17 and 20 to 22 inclusive
V	(F)	parts of 17 to 20 and 21 to 25 inclusive
VI	(F)	parts of 20 to 23 inclusive

O. Reg. 211/88, Sched. 3.

Schedule 4

MISSISSIPPI LAKE

That part of the watershed of the Mississippi Lake in the townships of Drummond, Beckwith and Ramsay in the County of Lanark affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 1 to 14, and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In Drummond Township in Lanark County.

CONCESSION	*LOT*
VI	parts of 20 to 22 inclusive
VII	parts of 19 and 20 and 22 to 27 inclusive
VIII	parts of 20 and 23 to 27 inclusive
IX	parts of 19 to 23 inclusive
X	parts of 20 to 22 inclusive
XI	parts of 20 and 21

2. In Beckwith Township in Lanark County.

CONCESSION	*LOT*
VII	parts of 1 and 2
VIII	parts of 1 to 5 inclusive
IX	parts of 3 to 8 inclusive
X	parts of 3 to 5 and 8 inclusive
XI	parts of 5 to 11 inclusive
XII	parts of 4 to 7 and 10 and 11 inclusive

3. In Ramsay Township in Lanark County.

CONCESSION	*LOT*
III	parts of 1
IV	parts of 1
V	parts of 1

O. Reg. 211/88, Sched. 4.

Schedule 5

INDIAN RIVER

That part of the watershed of the Indian River extending from its outlet at Clayton Lake to its mouth at the Mississippi River in Ramsay Township in the County of Lanark affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 10 and 11 Mississippi River Series and CL1 and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In Ramsay Township in Lanark County.

CONCESSION	*LOT*
I	parts of 22 and 23
II	parts of 21 and 22
III	parts of 21
IV	parts of 20 and 21
V	parts of 20 and 21
VI	parts of 21 to 24 inclusive
VII	parts of 24 and 25
VIII	parts of 23 and 24
IX	parts of 23 and 24

O. Reg. 211/88, Sched. 5.

Schedule 6

CLAYTON LAKE AND TAYLOR LAKE

That part of the watershed of the Clayton Lake and Taylor Lake from Clayton Dam in Ramsay Township to Taylor Lake in the County of Lanark affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 12 to 14 Mississippi River Series, and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In Lanark Township in the County of Lanark.

CONCESSION	*LOT*
IX	parts of 17 and 18
X	parts of 16 to 18 inclusive
XI	parts of 16 to 25 inclusive
XII	parts of 18 to 25 inclusive

2. In Ramsay Township in the County of Lanark.

CONCESSION	*LOT*
I	parts of 19 to 23 inclusive

O. Reg. 211/88, Sched. 6.

Schedule 7

CLYDE RIVER

That part of the watershed of the Clyde River passing through the Village of Lanark and the community of Cedardale in Lanark Township both in the County of Lanark affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 1 to 5 and 1178-4, and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In Lanark Township in the County of Lanark.

CONCESSION	*LOT*
II	parts of 1 and 2
III	parts of 2

CLYDE RIVER

That part of the watershed of the Clyde River passing through the community of Cedardale in Lanark Township in the County of Lanark, as follows:

1. In Lanark Township in the County of Lanark.

CONCESSION	*LOT*
III	parts of 22 to 25 inclusive
IV	parts of 21 to 25 inclusive

O. Reg. 211/88, Sched. 7.

Schedule 8

CODY CREEK

That part of the watershed of the Cody Creek extending from the headwaters to the mouth at the Mississippi River in the Township of West Carleton in The Regional Municipality of Ottawa-Carleton affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 15 to 19 Mississippi River Series, and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In the Township of West Carleton in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
I	(Fitzroy)	parts of 1 to 3 and 6 to 12 inclusive
II	(F)	parts of 1 to 8 inclusive
IX	(Huntley)	parts of 14 to 17 inclusive
X	(H)	parts of 14 and 15 and 18 to 23 inclusive
XI	(H)	parts of 23 to 27 inclusive
XII	(H)	parts of 19 to 27 inclusive

O. Reg. 211/88, Sched. 8.

Schedule 9

WATTS CREEK

That part of the watershed of Watts Creek extending from the headwaters in the City of Kanata to its mouth at Shirleys Bay on the Ottawa River in the City of Nepean in The Regional Municipality of Ottawa-Carleton affecting the lots described below as delineated by

the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. W1 to W6, and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In the City of Kanata in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
III	(March)	parts of 1 and 2
IV	(M)	parts of 2

2. In the City of Nepean in The Regional Municipality of Ottawa-Carleton.

CONCESSION	*LOT*
I	parts of 1 to 6 inclusive
A	parts of 4 and 5
B	parts of 4

O. Reg. 211/88, Sched. 9.

Schedule 10

POOLE CREEK AND FEEDMILL CREEK

That part of the watershed of the Poole Creek extending from the headwaters west of Stittsville, in Goulbourn Township to its mouth at the Carp River in West Carleton Township in The Regional Municipality of Ottawa-Carleton affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 1 to 9, P1 to P4 and F1 to F4, and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In Goulbourn Township in The Regional Municipality of Ottawa-Carleton.

CONCESSION	*LOT*
X	parts of 21 and 22
XI	parts of 21 to 26 inclusive
XII	parts of 22 and 26 to 28 inclusive

2. In the City of Kanata in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
I	(March)	parts of 1

O. Reg. 211/88, Sched. 10.

Schedule 11

KIZELL DRAIN

That part of the watershed of the Kizell Drain extending from its headwaters in the City of Kanata to its mouth at Watts Creek in the City of Nepean in The Regional Municipality of Ottawa-Carleton affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 1 to 10, and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In the City of Kanata in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
II	(March)	parts of 7
III	(M)	parts of 4 to 7 inclusive
IV	(M)	parts of 5 to 7 inclusive

2. In the City of Nepean in The Regional Municipality of Ottawa-Carleton.

CONCESSION	*LOT*
A	parts of 1, 2 and 3
I	parts of 1, 2 and 3

O. Reg. 211/88, Sched. 11.

Schedule 12

SHIRLEYS BROOK

That part of the watershed of Shirleys Brook extending from the headwaters in the City of Kanata to its outlet into Department of National Defence property in the City of Nepean in The Regional Municipality of Ottawa-Carleton affecting the lots described below as delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as Map Nos. 1 to 14, and identified by a stamp of the Registrar of Regulations dated the 3rd day of February, 1988.

1. In the City of Kanata in The Regional Municipality of Ottawa-Carleton.

CONCESSION		*LOT*
I	(March)	parts of 8
II	(M)	parts of 7 and 8
III	(M)	parts of 7 and 8
IV	(M)	parts of 8 to 13 inclusive
V	(M)	parts of 11 to 14 inclusive

O. Reg. 211/88, Sched. 12.

REGULATION 160

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—NAPANEE REGION CONSERVATION AUTHORITY

1. In this Regulation,

"Authority" means the Napanee Region Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, rubble, rubbish, garbage, storage material or any other material, whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"mm" means millimetres;

"regional storm" means,

(a) in the watershed of the Napanee River, the rainfall or snowmelt or the combination of rainfall and snowmelt that would produce, at a point in the main channel of the Napanee River immediately downstream of the Canadian

National Railway bridge in the Town of Napanee, a peak flow of 139 cubic metres per second,

(b) in the watershed of the Salmon River, the rainfall or snowmelt or the combination of rainfall and snowmelt that would produce, at a point in the main channel of the Salmon River immediately downstream of the Highway No. 2 bridge at Shannonville, a peak flow of 153 cubic metres per second,

(c) in the watershed of Selby (Sucker) Creek, the rainfall or snowmelt or the combination of rainfall and snowmelt that would produce, at the mouth of Selby (Sucker) Creek on the Bay of Quinte, a peak flow of 85 cubic metres per second, and

(d) in all other areas, the rainfall or snowmelt, or the combination of rainfall and snowmelt that would produce, at any point in a river, creek, stream or watercourse in the area, a peak flow which has the probability of occurrence of 1 per cent during any one year;

"river", "creek", "stream" or "watercourse" means any river, creek, stream or watercourse within the area of jurisdiction of the Authority. O. Reg. 436/85, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 436/85, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp, or in any area susceptible to flooding during a regional storm;

(b) place or dump fill, or permit fill to be placed or dumped, permanently or temporarily, in the areas described in the Schedules; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, stream, creek or watercourse. O. Reg. 436/85, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure, or the placing or dumping of fill, or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping, or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 436/85, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill, or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. O. Reg. 436/85, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade line;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details and methods of construction;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be dumped or placed, and the method of placing or dumping the fill;

(c) four copies of a statement of the dates between which the placing or dumping of fill will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of the placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken and the method to be used to carry out such straightening, change, diversion or interference;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 436/85, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for the permission are not carried out. O. Reg. 436/85, s. 7.

8. The Authority may from time to time appoint officers to enforce this Regulation. O. Reg. 436/85, s. 8.

Schedule 1

NAPANEE RIVER

That part of the watershed of the Napanee River extending from the river mouth to the outlet of the Cameron Swamp, located within the counties of Lennox and Addington and Frontenac, more particularly described as follows:

1. In the Township of Richmond in the County of Lennox and Addington:

Concession	Lot
I	Parts of 11 to 19, both inclusive
I (Part of the Town of Napanee)	Parts of former 20 to 22, both inclusive
II (Part of the Town of Napanee)	Parts of former 22 to 24, both inclusive

CONCESSION	LOT
II	Parts of 25 to 30, both inclusive

2. In the Township of North Fredericksburgh in the County of Lennox and Addington:

CONCESSION	LOT
IV	Parts of 4 to 8, both inclusive
VI	Parts of 9 to 16, both inclusive
VII	Parts of 21 to 26, both inclusive
VII (Part of the Town of Napanee)	Parts of former 17 to 20, both inclusive

3. In the Township of Camden East in the County of Lennox and Addington:

CONCESSION	LOT
I	Parts of 1 to 12, both inclusive, and 21 to 43, both inclusive
I (Part of the Village of Newburgh)	Parts of former 13 to 20, both inclusive
II	Parts of 21 to 23, both inclusive, and 42 to 50, both inclusive
II (Part of the Village of Newburgh)	Parts of former 18 to 20, both inclusive
III	Parts of 48 to 50, both inclusive

4. In the Township of Portland in the County of Frontenac:

CONCESSION	LOT
V	Parts of 19
VI	Parts of 18 and 19

As shown by the fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as numbers NR 1-3 to NR 1-12, dated June 1978, both inclusive. O. Reg. 436/85, Sched. 1.

Schedule 2

VARTY LAKE, CAMDEN LAKE AND CAMERON CREEK SWAMP

That part of the watersheds of Varty Lake, Camden Lake and Cameron Creek Swamp located within the Counties of Lennox and Addington and Frontenac, more particularly described as follows:

1. In the Township of Camden East in the County of Lennox and Addington:

CONCESSION	LOT
II	Parts of 30 to 37, both inclusive
III	Parts of 35 to 42, both inclusive
IV	Parts of 28, 29, 31 to 35, both inclusive, and 37 to 42, both inclusive
V	Parts of 24 to 41, both inclusive
VI	Parts of 31 to 52, both inclusive
VII	Parts of 36 to 53, both inclusive

2. In the Township of Portland in the County of Frontenac:

CONCESSION	LOT
VI	Parts of 14 and 15
VII	Parts of 13, 14 and 16 to 19, both inclusive
VIII	Parts of 13 to 18, both inclusive
IX	Parts of 9 to 22, both inclusive
X	Parts of 8 to 23, both inclusive
XI	Parts of 8 to 11, both inclusive, and 21 to 23, both inclusive
XII	Parts of 8

As shown by the fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as numbers NR 2-1 to NR 2-10, dated July 1981, both inclusive, and NR 2-23 to NR 2-28, dated June 1978, both inclusive. O. Reg. 436/85, Sched. 2.

Schedule 3

HOWES LAKE, VANLUVEN LAKE, HAMBLY LAKE, FIRST DEPOT LAKE AND FOURTEEN ISLAND LAKE

That part of the watersheds of Howes Lake, VanLuven Lake, Hambly Lake, First Depot Lake and Fourteen Island Lake located within the County of Frontenac more particularly described as follows:

1. In the Township of Portland in the County of Frontenac:

CONCESSION	LOT
IX	Parts of 7 to 9, both inclusive
X	Parts of 6 to 9, both inclusive
XI	Parts of 1 to 5, both inclusive, and 7 to 11, both inclusive
XII	Parts of 1 to 5, both inclusive, 7 to 12, both inclusive, and 17
XIII	Parts of 5 to 8, both inclusive, and 15 to 18, both inclusive
XIV	Parts of 5 to 7, both inclusive, and 18

2. In the Township of Loughborough in the County of Frontenac:

CONCESSION	LOT
XII	Parts of 1 to 3, both inclusive
XIII	Parts of 1 to 4, both inclusive

As shown by the fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as num-

bers NR 3-15 to NR 3-22, dated July 1981, both inclusive. O. Reg. 436/85, Sched. 3.

Schedule 4

WHITE LAKE, POTSPOON LAKE, THIRTY ISLAND LAKE and THIRTEEN ISLAND LAKE

That part of the watersheds of White Lake, Potspoon Lake, Thirty Island Lake and Thirteen Island Lake located within the County of Frontenac, more particularly described as follows:

1. In the Township of Bedford in the County of Frontenac:

Concession	Lot
I	Parts of 1 and 2
II	Parts of 1 to 6, both inclusive, and 10 to 12, both inclusive
III	Parts of 3 to 15, both inclusive
IV	Parts of 6 to 14, both inclusive
V	Parts of 11 to 13, both inclusive

2. In the Township of Portland in the County of Frontenac:

Concession	Lot
XIV	Parts of 1 and 2

3. In the Township of Loughborough in the County of Frontenac:

Concession	Lot
XIV	Parts of 1 and 2

As shown by the fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as numbers NR 4-11 to NR 4-14, dated July 1981, both inclusive. O. Reg. 436/85, Sched. 4.

Schedule 5

SALMON RIVER

That part of the watershed of the Salmon River extending from the junction of the Salmon River and the line dividing the Township of Tyendinaga and the Township of Richmond, to the junction of the Salmon River and the line dividing the Township of Camden East and the Township of Sheffield located within the County of Lennox and Addington, more particularly described as follows:

1. In the Township of Richmond in the County of Lennox and Addington:

Concession	Lot
VI	Parts of 1 to 8, both inclusive
VII	Parts of 8 to 17, both inclusive
VIII	Parts of 17 to 20, both inclusive
IX	Parts of 20 to 23, both inclusive

2. In the Township of Camden East in the County of Lennox and Addington:

Concession	Lot
VI	Parts of 1 to 3, both inclusive
VII	Parts of 1 to 15, both inclusive
VIII	Parts of 11 to 17, both inclusive
IX	Parts of 16 to 19, both inclusive

As shown by the fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as numbers NR 5-5 to NR 5-11, dated January 1979, both inclusive. O. Reg. 436/85, Sched. 5.

Schedule 6

SELBY CREEK

That part of the watershed of Selby (Sucker) Creek extending from the junction of Selby (Sucker) Creek and the line dividing the Township of Tyendinaga and the Township of Richmond, to a point upstream of the Hamlet of Selby located within the County of Lennox and Addington, more particularly described as follows:

1. In the Township of Richmond in the County of Lennox and Addington:

Concession	Lot
II	Parts of 1 to 20, both inclusive
III	Parts of 16 to 23, both inclusive
IV	Parts of 16 to 23, both inclusive
V	Parts of 22 and 23

As shown by the fill lines on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville, Ontario as numbers NR 6-3 to NR 6-8, dated November 1980, both inclusive. O. Reg. 436/85, Sched. 6.

REGULATION 161

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—NICKEL DISTRICT

1. In this Regulation,

"Authority" means the Nickel District Conservation Authority;

"building or structure" means a building or structure of any kind;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to, or different from any of the aforementioned materials, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means a storm producing in a twelve hour period, in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rain fall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

0.6 inches of rain in the first hour
0.8 inches of rain in the second hour
0.4 inches of rain in the third hour
0.1 inches of rain in the fourth hour
0.2 inches of rain in the fifth hour
0.8 inches of rain in the sixth hour
1.7 inches of rain in the seventh hour
0.8 inches of rain in the eighth hour
0.9 inches of rain in the ninth hour
0.5 inches of rain in the tenth hour
0.5 inches of rain in the eleventh hour
0.3 inches of rain in the twelfth hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (Square Miles)	Percentage
11 to 20 both inclusive	97
21 to 30 both inclusive	94
31 to 40 both inclusive	90
41 to 60 both inclusive	87
61 to 80 both inclusive	84
81 to 100 both inclusive	82
101 to 150 both inclusive	79
151 to 200 both inclusive	76
201 to 300 both inclusive	74
301 to 400 both inclusive	70
401 to 500 both inclusive	68
501 to 600 both inclusive	66
601 to 700 both inclusive	65
701 to 800 both inclusive	64
801 to 900 both inclusive	63
901 to 1000 both inclusive	62
1001 to 1500 both inclusive	58
1501 to 2000 both inclusive	56
2001 to 2500 both inclusive	53
2501 to 3000 both inclusive	50

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 171, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 171, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area that is susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert, or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 171, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. R.R.O. 1980, Reg. 171, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 171, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan for the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 171, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation, if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 171, s. 7.

8. Members of the staff of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 171, s. 8.

Schedule 1

That part of the Junction Creek and Nolan Creek watersheds extending northerly and easterly from Kelly Lake in the geographic Township of McKim, now part of the City of Sudbury in The Regional Municipality of Sudbury, to,

(a) Lot 7 in Concession IV in the geographic Township of McKim, now part of the City of Sudbury in The Regional Municipality of Sudbury, on the main branch of Nolan Creek;

(b) Lot 4 in Concession VI in the geographic Township of McKim, now part of the City of Sudbury in The Regional Municipality of Sudbury, on the west branch of Junction Creek;

(c) the north limit of Lot 11 in Concession VI in the geographic Township of Neelon, now part of the City of Sudbury in The Regional Municipality of Sudbury, on the main branch of Junction Creek; and

(d) the north limit of Lot 12 in Concession VI in the geographic Township of Neelon, now part of the City of Sudbury in The Regional Municipality of Sudbury, on the east branch of Junction Creek,

as shown delineated by the fill line and coloured red on maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1941 to 1953, both inclusive. R.R.O. 1980, Reg. 171, Sched. 1.

Schedule 2

That part of the Whitson River watershed extending northerly and easterly from the south limit of Lot 3 in Concession II in the geographic Township of Balfour, now part of the Town of Rayside-Balfour in The Regional Municipality of Sudbury to,

(a) the east limit of Lot 1 in Concession III in the geographic Township of Balfour, now part of the Town of Rayside-Balfour in The Regional Municipality of Sudbury on Tributary III and Tributary IV of that river;

(b) the south limit of the north quarter of Lot 7 in Concession V in the geographic Township of Rayside, now part of the Town of Rayside-Balfour in The Regional Municipality of Sudbury on Tributary V of that river;

(c) Labelle Street in Lot 6 in Concession II in the geographic Township of Hanmer, now part of the Town of Valley East in The Regional Municipality of Sudbury on Tributary VIII of that river;

(d) the intersection of Anita Street and Gabrielle Street in the north half of Lot 3 in Concession II in the geographic Township of Hanmer, now part of the Town of Valley East in The Regional Municipality of Sudbury on Tributary VIII-A of that river;

(e) the east limit of the west half of Lot 2 in Concession I in the geographic Township of Hanmer, now part of the Town of Valley East in The Regional Municipality of Sudbury on Tributary IX of that river;

(f) the east limit of Lot 11 in Concession II in the geographic Township of Capreol, now part of the Town of Valley East in the Regional Municipality of Sudbury on Tributary X of that river; and

(g) Lot 12 in Concession VI in the geographic Township of Garson, now part of the Town of Nickel Centre in The Regional Municipality of Sudbury on the main branch of that river,

as shown delineated by the "fill line" and coloured red on maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1954 to 1984, both inclusive. R.R.O. 1980, Reg. 171, Sched. 2.

REGULATION 162

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—NORTH BAY-MATTAWA CONSERVATION AUTHORITY

1. In this Regulation,

"Authority" means the North Bay-Mattawa Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, building materials, storage materials, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedule;

"mm" means millimetres;

"regional storm" means a storm producing in a twelve hour period in a drainage area of,

(a) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2;

TABLE 1

15 mm of rain in the first hour
20 mm of rain in the second hour
10 mm of rain in the third hour
3 mm of rain in the fourth hour
5 mm of rain in the fifth hour
20 mm of rain in the sixth hour
43 mm of rain in the seventh hour
20 mm of rain in the eighth hour
23 mm of rain in the ninth hour
13 mm of rain in the tenth hour
13 mm of rain in the eleventh hour
8 mm of rain in the twelfth hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (in square kilometres)	Percentage
26 to 50 both inclusive	97
51 to 75 both inclusive	94
76 to 100 both inclusive	90
101 to 150 both inclusive	87
151 to 200 both inclusive	84

TABLE 2—*Continued*

COLUMN 1	COLUMN 2
Drainage Area (in square kilometres)	Percentage
201 to 250 both inclusive	82
251 to 375 both inclusive	79
376 to 500 both inclusive	76
501 to 750 both inclusive	74
751 to 1000 both inclusive	70
1001 to 1250 both inclusive	68
1251 to 1500 both inclusive	66
1501 to 1800 both inclusive	65
1801 to 2100 both inclusive	64
2101 to 2300 both inclusive	63
2301 to 2600 both inclusive	62
2601 to 3900 both inclusive	58
3901 to 5200 both inclusive	56
5201 to 6500 both inclusive	53
6501 to 8000 both inclusive	50

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 278/85, s. 1.

2. The area described in the Schedule are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 278/85, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill, or permit fill to be placed or dumped, permanently or temporarily, in the areas described in the Schedule; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 278/85, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure, or the placing or dumping of fill, or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse, to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping of fill and the method of construction or placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 278/85, s. 4.

5. No person shall commence to construct any building or structure, or dump or place fill, or straighten, change, divert or interfere with the existing channel of a river, lake, creek, stream or watercourse, in any area to which section 3 applies before permission to do has been obtained under section 4. O. Reg. 278/85, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details and the method of construction;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken and the method to be used to carry out such straightening, change, diversion or interference;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 278/85, s. 6.

7. The Authority may, at any time, withdraw any permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for permission are not carried out. O. Reg. 278/85, s. 7.

8. Members of the staff of the Authority are appointed as officers to enforce this Regulation. O. Reg. 278/85, s. 8.

Schedule 1

1. In the Township of Commanda, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

CONCESSION	LOT	
B		1
	NE ¼	2
A	W ½	1
		2
	NE ¼	3
I		1
	SW ¼	2
		3
	N ½ of N ½	4
II	E ½	1

Concession	Lot	
	SW ¼	3
	S ½	4
		5
III	SE ¼	1

2. In the City of North Bay, formerly in the Township of Widdifield, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot	
D		14
		15
		16
		17
		18
		19
		20
		21
C		1
		2
		3
		4
		5
		8
		9
		10
		11
		12
		13
		14
		15
		16
		17
		18
		19
	NE ¼	20
	S ½	22
	S½	23
		24
B	S ½ of S ½	3
		4
		5
		6
		7
		8
		9
	SE ¼	10
	N ½	11
		12
	N ½ of N ½	13
		14
	S ½	15
		16
		17
	S ½	18
		19
		20
		21
		22
		23
	S ½	24
A	NW ¼	3
		4
	S ½ of S ½	5
		8
	N ½ of N ½	9
		10
		11
		12
	W ½	13
		14
		15
		16
	E ½	17
		19
	E ½	20
I	S ½	1
		2
		3
		4
	NE ¼	5
	W ½	8
		9
	N ½	10
		11
	SE ¼	12
	SW ¼	13
	E ½	14
		20
	N ½	21
II		1
	S ½	2
	S ½ of S ½	3
		4
		5
		8
	E ½	9
	S ½ of S ½	11
		12
		13
		14
	W ½	19
		20
	W ½	24
III		1
		2
	SW ¼	4
		5
		6
	N ½	7
	SW ¼	8
	S ½	9
		10
		17
	N ½ of N ½	18
	SW ¼	19
	SE ¼	20
	N ½ of N ½	22
		23
	S ½ of S ½	24
IV		2
	NE ¼	3
	SW ¼	5
		6
		7
		8
	N ½	9
		10
		11
	NW ¼	14
	N ½	15
	N ½ of N ½	16
	S ½ of S ½	17
		18
		19
		20
		21

CONCESSION	LOT	
	S ½	22
	SE ¼	23
V	S ½	7
		8
		9
		10
		11
		12
	SE ¼	13
		14
		15
		16
		17
		18
		19
	S ½	20
	SE ¼	21
VI		1
		2
		3
	NW ¼	5
	N ½	6
	NE ¼	8
	SW ¼	10
		11
	W ½	12
	N ½	13
	E ½	15
	SW ¼	16
	S ½	17
	S ½	18
	SE ¼	19

3. In the City of North Bay, formerly in the Township of West Ferris, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

CONCESSION	LOT	
XI		38
		39
		40
		41
XII	N ½ of N ½	27
	N ½	28
	N ½	29
	N ½	30
	N ½ of N ½	31
	N ½ of N ½	32
	N ½ of N ½	33
	N ½ of N ½	36
		37
		38
		39
XIII	N ½	25
	N ½ of N ½	26
		27
	S ½ of S ½	28
	S ½ of S ½	29
	S ½ of S ½	31
	S ½ of S ½	32
		33
		34
		35
		36
		37
		38
		39

CONCESSION	LOT	
XIV	W ½	25
		26
		27
		28
		29
		30
		31
		32
		33
		34
		35
	S ½	36
	S ½ of S ½	37
		38
		39
XV	N ½	25
		26
		27
		28
		29
	E ½	30
		33
		34
		35
		36
		37
		38
		39
		40
XVI	W ½	25
		26
		27
		28
		29
	E ½	30
	S ½	33
		34
		35
		36
		37
		38
		39
		40
XVII	N ½	25
	N ½	26
		27
		28
		29
	E ½	30
		34
		35
		36
		37
		38
	S ½	39
		40
XVIII		27
	SE ¼	28
	NW ¼	31
	N ½	32
		33
		34
		35
		36
		37
		38
		41

4. In the Township of Phelps, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot
A	9
	S ½ of S ½ 10
	S ½ of S ½ 11
	12
	13
	S ½ 14
	S ½ 15
	S ½ 16
	17
B	1
	2
	3
	4
	8
	9
	10
	S ½ 11
	12
	N ½ 13
	N ½ of N ½ 14
	N ½ of N ½ 15
	N ½ 16
	N ½ 17
C	N ½ 1
	2
	3
	4
	5
	6
	7
	8
	9
	SE ¼ 10
	S ½ of S ½ 13
	S ½ of S ½ 14
	S ½ of S ½ 15
	S ½ of S ½ 16
D	3
	4
	9
	10
	N ½ 11
I	1
	2
	SE ¼ 3
	4
	NE ¼ 5
	8
	9
	10
	11
	S ½ 12
	S ½ 13
	S ½ 14
	S ½ 15
	S ½ 16
	S ½ 17
II	5
	8
	N ½ 9
	11
	N ½ of N ½ 12
	N ½ of N ½ 16
	N ½ 17
III	W ½ 4
	5
	6
	S ½ 7
	SE ¼ 8
	9
	N ½ 10
	S ½ 12
	13
	N ½ 14
	15
	S ½ of S ½ 16
	17
IV	S ½ 10
	11
	12
	NE ¼ 13
	W ½ 15
	N ½ 16
V	13
	SW ¼ 16
	17
VI	W ½ 13
	14
	SW ¼ 17

5. In the Township of Olrig, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot
A	4
	5
	6
	7
	8
	9
B	S ½ of S ½ 9
	S ½ of S ½ 10
	S ½ 11
	12
	14
C	W ½ 12
	13
	S ½ of S ½ 14

6. In the Township of Mattawan, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot
I	S ½ 1
	S ½ 2
	3
	4
	5
	S ½ 6
	S ½ 7
	S ½ 8
	S ½ 9
	S ½ 10
	S ½ 11
	S ½ 12
	S ½ 13
	S ½ 14

Concession	Lot	
	S ½	15
	S ½	16
	S ½	17
	S ½	18
	S ½	19
	S ½	20
	S ½	21
		22
		23
		24
		25
		26
		27
		28
		35
		36
		37
		38
		39
		40
II	N ½ of N ½	1
		2
		3
	S ½ of S ½	4
	S ½	27
	S ½	28
		35
III	S ½	1
	SW ¼	2
	S ½ of S ½	29
	S ½ of S ½	30
	S ½ of S ½	31
	S ½	32
		33
		34
	S ½ of S ½	35

7. In the Township of East Ferris, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot	
I	N ½ of N ½	1
		2
		3
		4
		5
		6
		7
		8
		9
		10
		11
	E ½	12
II		3
		4
		9
		10
		11
	N ½ of N ½	12
	N ½	13
	N ½	14
	N ½	15
	N ½	16
		17
	N ½	18
	N ½	19
III		8
		9
		10
		11
		12
		13
		14
		15
		16
		17
		18
		19
	S ½	20
IV		1
		2
		3
		4
		5
		6
		7
		8
		12
		13
		14
		15
	SE ¼	16
V	S ½	2
		3
		4
		5
		6
		7
		8
VI	SW ¼	3
	S ½	4
	SE ¼	5
VII		2
		3
	N ½ of N ½	4
	N ½ of N ½	11
		18
VIII	S ½	3
		4
		5
		10
		11
		17
		18
IX		1
	E ½	2
		3
		4
	S ½ of S ½	5
		6
		7
		8
	S ½ of S ½	10
	S ½	11
		12
		13
	N ½	14
	N ½	15
	NW ¼	17
		18
X		1
		2
		3

Concession	Lot	
		4
	N ½	5
		6
		7
		8
	SW ¼	13
	S ½ of S ½	14
	S ½	15
		16
		17
	E ½	18
XI		1
		2
	S ½	3
	SE ¼	4
	S ½ of S ½	7
	S ½	8
	S ½	9
	S ½	10
	S ½	11
	S ½	12
	S ½	13
	S ½	14
		15
		16
		17
	NE ¼	18
XII	S ½ of S ½	1
	S ½ of S ½	17
		18
		19
	N ½	20
	N ½ of N ½	21
XIII	N ½ of N ½	1
	N ½ of N ½	2
	N ½	3
	N ½	4
	N ½ of N ½	5
	NW ¼	7
		8
		9
		10
		11
	S ½ of S ½	21
	S ½	22
		23
	N ½	24
XIV		1
		2
		3
		4
		5
		6
		7
		8
		9
		10
		11
	NW ¼	15
		16
	N ½	19
	NE ¼	20
XV		3
		4
		5
		6
		7
		8
		9
		10
		11
		12
	N ½	13
		14
	S ½	15
	SE ¼	16
		19
	SE ¼	20
	N ½ of N ½	23
	N ½	24
XVI		14
		15
		16
	N ½	17
		18
	E ½	19
	S ½ of S ½	23
	S ½ of S ½	24
XVII		19
		20
		21
		22
	N ½	23
	N ½	24

8. In the Township of Bonfield, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot	
I	E ½	7
		8
		9
		10
		11
		12
	S ½	14
		15
	N ½	16
	N ½ of N ½	17
	S ½ of S ½	27
		28
II	E ½	10
		11
		12
	S ½ of S ½	15
	S ½ of S ½	16
	S ½	17
	S ½	18
		19
		20
		21
		22
	NW ¼	23
		26
	S ½	27
	S ½	28
III		10
		11
		23
	E ½	25
		26
IV	S ½	10
	S ½	11
		12

Concession	Lot	
	NW ¼	13
	E ½	22
	W ½	23
		25
		26
	N ½	27
	N ½	28
	N ½	29
V	N ½	1
	N ½	2
	N ½	3
	NW ¼	4
	SE ¼	12
	S ½	13
		14
		20
		21
		22
	N ½	23
	N ½ of N ½	24
	N ½	25
		26
		27
		28
	S ½	29
VI		3
		4
		14
	N ½ of N ½	15
	N ½ of N ½	16
	S ½ of S ½	24
	S ½ of S ½	25
		26
	N ½	27
VII		1
		2
		3
		4
		5
		6
		7
		8
	N ½	9
	S ½ of S ½	16
	S ½	17
		18
		19
		20
		21
		22
	SE ¼	26
		27
		28
		29
		30
		31
VIII	S ½ of S ½	5
	S ½ of S ½	6
	S ½ of S ½	8
		9
	W ½	10
	E ½	22
		23
	SE ¼	28
	S ½ of S ½	29
		30
		31
	S ½	32

Concession	Lot	
IX		9
		10
	SE ¼	23
		24
		25
	N ½ of N ½	26
	N ½ of N ½	27
	N ½ of N ½	28
	N ½ of N ½	29
	N ½ of N ½	30
		31
	N ½	32
	N ½ of N ½	33
X		10
		11
	N ½ of N ½	12
	S ½ of S ½	27
	S ½	28
	S ½ of S ½	30
		31
		32
		33
		34
		35
XI	N ½	2
		3
		4
	S ½	12
		13
	N ½	14
	N ½ of N ½	15
	N ½ of N ½	16
	NW ¼	17
	N ½ of N ½	21
	N ½ of N ½	22
	N ½	23
	N ½	24
	N ½	25
		26
		27
		28
		29
		30
		31
	S ½	32
	S ½ of S ½	33
	S ½ of S ½	34
		35
XII		2
	S ½	3
		17
		18
		19
		20
		21
	S ½	22
	S ½	23
	S ½	24
	S ½ of S ½	25
	N ½ of N ½	29
	N ½	30
		31
		32
		33
		34
		35
XIII	N ½	1
		2
	N ½	16

Concession	Lot
	17
	18
	S ½ of S ½ 19
	SW ¼ 20
	NE ¼ 27
	N ½ 28
	29
	30
XIV	S ½ of S ½ 1
	N ½ of N ½ 13
	14
	15
	16
	N ½ of N ½ 17
	18
	N ½ 19
	N ½ 20
	N ½ 21
	N ½ 22
	N ½ 23
	26
	27
XV	N ½ 1
	2
	3
	N ½ of N ½ 4
	N ½ of N ½ 5
	N ½ of N ½ 6
	N ½ of N ½ 7
	N ½ of N ½ 8
	N ½ of N ½ 9
	N ½ of N ½ 10
	N ½ of N ½ 11
	12
	13
	14
	15
	S ½ of S ½ 16
	S ½ 17
	S ½ 18
	19
	20
	21
XVI	S ½ of S ½ 1
	3
	4
	5
	6
	7
	8
	9
	14
	15
	S ½ 22
	23
	N ½ 24
	N ½ of N ½ 25
	26
	27
XVII	N ½ 1
	N ½ 2
	3
	4
	5
	16
	N ½ 17
	N ½ 18
	N ½ 19
	N ½ 20
	N ½ 21
	N ½ 22
	23

9. In the Township of Calvin, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot
I	SW ¼ 6
	7
	8
	9
	10
	11
	12
	S ½ of S ½ 13
	NW ¼ 22
	23
	24
	S ½ 25
II	N ½ 2
	8
	9
	10
	SE ¼ 11
	23
	24
III	2
	S ½ 3
	N ½ 7
	8
	SE ¼ 9
	NW ¼ 22
	23
	E ½ 24
IV	S ½ 2
	3
	N ½ 4
	7
	8
	21
	22
	E ½ 23
V	NW ¼ 3
	4
	5
	S ½ 6
	7
	N ½ of N ½ 8
	N ½ 20
	21
VI	S ½ 4
	5
	6
	7
	S ½ 8
	9
	S ½ 10
	NW ¼ 13
	14
	S ½ 15
	S ½ 16
	17
	18
	19
	S ½ 20

Concession	Lot	
	SE ¼	21
	N ½ of N ½	22
	N ½	23
	N ½	24
	N ½	25
	N ½	26
	N ½	29
	N ½ of N ½	30
	NE ¼	31
VII	S ½	5
	S ½	6
		7
		8
	N ½	16
		17
		18
		19
		20
		21
		22
		23
		24
		25
		26
	N ½	27
		28
		29
		30
		31
		34
VIII		1
		2
	N ½	3
		8
		9
		10
		11
		12
	NE ¼	13
	NW ¼	14
		15
		16
		17
	S ½	18
	S ½ of S ½	20
	S ½ of S ½	21
	S ½ of S ½	22
	S ½ of S ½	24
	S ½	25
		26
		27
		28
		29
	S ½	30
	S ½	31
	S ½ of S ½	32
	S ½	33
	S ½	34
	S ½	35
IX		3
		4
		5
	N ½	6
	N ½	7
		8
		9
		10
		11
		12
		13

Concession	Lot	
		14
		15
	S ½	16
	NW ¼	28
		29
X		16
	N ½ of N ½	17
		27
		30
	N ½ of N ½	31
XI		16
		17
		18
	N ½	19
	N ½ of N ½	20
	N ½ of N ½	21
	N ½ of N ½	22
	N ½ of N ½	23
	N ½ of N ½	24
		25
		26
		32
	N ½	33
	N ½ of N ½	34
	N ½ of N ½	35
		36

10. In the Township of Lauder, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot	
IV	N ½	35
		36
V	NW ¼	32
		33
		34
	S ½	35
	SE ¼	36
VI	N ½ of N ½	30
	N ½ of N ½	31
		32
	SE ¼	33
VII	N ½	28
		29
	S ½	30
	S ½	31
	S ½ of S ½	32
VIII		27
		28
	S ½ of S ½	29
IX	SW ¼	1
	S ½	2
		3
		4
		5
		6
		7
		8
	N ½ of N ½	9
	N ½ of N ½	10
	SW ¼	12
		13
		14
	NE ¼	15

Concession	Lot	
		25
		26
		27
X		5
		6
		7
	S ½ of S ½	8
		9
		10
		12
		13
		14
	SE ¼	15
	W ½	24
		25
		26
	E ½	27

11. In the Township of Papineau, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot	
I		14
		15
		16
		17
		18
		19
	N ½	24
	N ½ of N ½	25
	N ½	26
	N ½ of N ½	27
	N ½ of N ½	28
	N ½ of N ½	29
	N ½ of N ½	30
	N ½ of N ½	31
	N ½ of N ½	32
		33
		34
II	N ½	8
	N ½	9
		10
		11
		12
	N ½	13
	N ½	14
		15
		16
	S ½ of S ½	17
		24
		25
		26
		27
		28
	S ½	29
	S ½	30
		31
		32
		33
		34
	SE ¼	35
III	NW ¼	6
		7
		8
	SE ¼	9
	S ½ of S ½	14
	S ½	15
	S ½	16
		33
		34
IV	N ½ of N ½	3
	N ½	4
		5
	S ½	6
	S ½	7
	SE ¼	8
		29
		30
		31
		32
	NE ¼	33
V		3
		4
	NE ¼	5
		30
		31
	S ½	32
		33
		34
	N ½	35
VI	S ½ of S ½	3
		4
		5
	NW ¼	6
		7
		8
		9
		10
		11
		12
		14
		15
	S ½	16
	N ½ of N ½	18
	N ½	19
	NE ¼	20
	N ½	22
		23
		24
	NE ¼	25
	N ½	26
	NE ¼	27
	N ½ of N ½	28
	N ½ of N ½	29
	S ½	35
VII	W ½	4
	E ½	5
		6
		7
	N ½	9
		10
		11
	S ½	12
	NW ¼	13
		14
		15
	N ½	17
		18
		19
	S ½ of S ½	24
		25
		26
		27
		28
		29
VIII	W ½	4

Concession	Lot	
		5
		6
		7
		8
	S ½	9
		14
		15
	N ½	16
		17
		18
	S ½ of S ½	19
	NW ¼	20
	N ½ of N ½	21
	SW ¼	26
		27
		28
	S ½ of S ½	29
IX		6
		7
	SE ¼	8
	N ½ of N ½	12
	N ½	13
		14
		15
	S ½	16
	N ½ of N ½	18
		19
		20
		21
	W ½	27
		28
	E ½	29
X	S ½ of S ½	6
		7
		8
	N ½ of N ½	9
	NE ¼	10
		12
	N ½	13
		14
	N ½	15
	N ½	16
		17
	S ½	18
	S ½ of S ½	19
	NW ¼	23
	N ½	24
		25
	S ½	26
	S ½	27
	S ½ of S ½	28
	SE ¼	29
XI	S ½ of S ½	9
	S ½	10
	S ½	11
	S ½	12
	S ½	13
		14
	S ½	15
	SE ¼	16
	N ½	19
	N ½	20
		21
		22
	S ½	23
XII	S ½	14
	S ½	15
		16
		17
		18
	SE ¼	19
XIII	SW ¼	15
		16
	N ½ of N ½	23
	N ½ of N ½	24
	N ½	25
	N ½	26
	N ½	27
XIV		16
	N ½ of N ½	17
	N ½ of N ½	18
		19
		20
		21
		22
		23
		24
	S ½ of S ½	25
	S ½ of S ½	26
	S ½ of S ½	27
XV		20
	N ½ of N ½	21
	N ½	22
	N ½	23
	N ½	24
	N ½	25
	N ½	26
	N ½	27
	N ½	28
	N ½	29
	N ½	30
	N ½	31
	N ½	32
	N ½	33
	N ½	34
	N ½	35

12. In the Township of Chisholm, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Concession	Lot	
I		14
	S ½	15
		16
	W ½	17
	N ½ of N ½	18
	N ½	19
		20
		21
II	N ½ of N ½	9
	NW ¼	10
	NE ¼	11
	N ½	12
		13
		14
		15
		16
		17
		18
	N ½	19
	N ½	20
	N ½	21
	N ½ of N ½	22
	N ½	23
		24
	S ½	25

CONCESSION	LOT	
	S ½	26
		27
	N ½	28
III	N ½ of N ½	6
	NW ¼	7
	NE ¼	8
		9
		10
		11
		12
		13
		14
		15
		16
	N ½ of N ½	17
	NE ¼	22
	N ½ of N ½	23
		24
	N ½	25
	N ½ of N ½	26
	N ½ of N ½	27
		28
	N ½	29
IV		6
		7
	S ½	8
	S ½ of S ½	9
	N ½ of N ½	14
		15
	S ½ of S ½	16
	SW ¼	17
		23
		24
		25
		26
		27
		28
		29
V	S ½	7
		8
	N ½	9
	NW ¼	10
	N ½	12
		13
	S ½	14
	N ½	17
	N ½	18
	N ½ of N ½	19
	N ½ of N ½	20
	N ½ of N ½	22
		23
		24
	N ½	25
		26
		27
		28
		29
VI	SE ¼	7
	S ½	8
	S ½	9
	S ½	10
		11
		12
		13
		14
		15
	N ½	16
	S ½	17
		18

CONCESSION	LOT	
	S ½	19
		20
		21
	S ½ of S ½	22
	SE ¼	25
	S ½	26
		27
		28
VII		5
	NW ¼	6
	N ½	8
	N ½	9
	N ½	10
		11
	S ½	12
		16
	N ½	18
		19
	S ½	20
	S ½	21
	SE ¼	27
		28
	N ½	29
VIII	NW ¼	1
	N ½ of N ½	2
	N ½ of N ½	3
	N ½	4
		5
		6
	S ½	7
	S ½	8
	S ½	9
	S ½ of S ½	10
	N ½	15
		16
		17
	S ½	18
	SE ¼	22
		23
IX		1
	W ½	2
	S ½ of S ½	3
	S ½ of S ½	4
	S ½ of S ½	5
	S ½ of S ½	9
		10
	NW ¼	11
	NE ¼	12
		13
		14
		15
	N ½	16
		17
	N ½ of N ½	18
		23
	N ½ of N ½	24
	N ½	27
	N ½	28
		29
X	S ½	2
		3
	N ½	4
	N ½ of N ½	5
	N ½ of N ½	6
	E ½	10
	N ½ of N ½	11
		12
		13
		14

Concession	Lot	
	S ½	15
	N ½ of N ½	21
	N ½ of N ½	22
		23
		24
		25
		26
	W ½	27
	N ½ of N ½	28
XI		4
	S ½	6
	W ½	7
		12
		13
	N ½	14
	NW ¼	15
	N ½ of N ½	18
		20
	S ½	21
	S ½ of S ½	23
	S ½ of S ½	24
	N ½	27
		28
		29
XII	N ½ of N ½	6
		7
		13
		14
		15
	N ½	16
		18
		19
	S ½ of S ½	20
	NE ¼	24
	N ½	25
		26
		27
	S ½ of S ½	28
	S ½ of S ½	29
XIII	N ½ of N ½	4
	N ½ of N ½	5
		6
	NE ¼	10
	N ½	11
	N ½	12
		13
		14
		15
		16
		17
		18
		19
	NW ¼	20
	E ½	24
		25
XIV	E ½	4
	S ½	5
		6
	NW ¼	7
	SE ¼	10
		11
		12
	W ½	20
	SE ¼	24
		25
		26
		27
		28

Concession	Lot	
	S ½	29
XV	SE ¼	3
	S ½ of S ½	4
		5
		6
		7
		11
		12
		13
		14
		15
		16
		17
		18
	S ½	19
		20
	NE ¼	23
		24
	S ½	25
	S ½ of S ½	26
XVI	SE ¼	7
	W ½	8
	S ½ of S ½	11
	N ½ of N ½	13
		14
		15
	S ½	16
	S ½	17
	E ½	23
		24
XVII		8
	NW ¼	9
	NE ¼	10
	N ½ of N ½	11
		12
	S ½	13
		22
		23
	S ½ of S ½	24
XVIII	NE ¼	8
		9
	S ½	10
	S ½ of S ½	11
	SW ¼	12
	N ½ of N ½	19
	N ½	20
	N ½ of N ½	21
		22
		23
	N ½ of N ½	24
	N ½	25

13. In the Town of Mattawa, in the Territorial District of Nipissing, and being composed of the following lots and parts of lots:

Plan No.	Lot	
1	1 to 4 inclusive	— north of Timmins Street
	8, 15, Block A	— south of Timmins Street
	9 and 10	— east of Water Street
	11 to 13 inclusive	— north of Pembroke and Mattawa Road (Valois Drive)
	17	— Parcel 518 & 377 NIP, north of Pembroke and Mattawa Road (Valois Drive)

PLAN NO.	LOT	
	2 to 4 inclusive	— Range "C", south of Pembroke and Mattawa Road (Valois Drive)
	2 to 4 inclusive	— Range "D", north of Pine Street
	1 and 2	— Range "E", south of Pine Street
	1	— Range "F", north of Poplar Street
	1 and 2	— Range "J", south of Park Street
	1 to 3 inclusive	— Range "K", north of Wood Street
	1 to 10 inclusive	— Range "L", north of Pembroke and Mattawa Road (Valois Drive)
2	87 and 88 133 to 135 inclusive 399 and 400 419 422 423	
3	A to H inclusive J to P inclusive R to U inclusive	
6	22 to 25 inclusive 29 to 35 inclusive	
7	19 to 34 inclusive 72 to 85 inclusive 116 to 138 inclusive 143 to 157 inclusive	
18	1 and 2 1 and 2 1 and 2 1 and 2	— south of Poplar Street — north of Mulligans Lane — south of Mulligans Lane — north of Hurdman Street
28	A to H inclusive	
37	1 to 16 inclusive 1 to 14 inclusive	— Block "A" — Block "C"
67	18 to 25 inclusive	
85	1 17 to 26 inclusive 34 and 35	

CONCESSION	LOT	
XIV	15	

14. The following land in the Territorial District of Nipissing.

1. Those parts of the watersheds of CROOKSTICK CREEK, PAUTOIS CREEK, and the LITTLE PAUTOIS CREEK within the Township of Lauder.
2. Those parts of the watersheds of DUCHESNAY CREEK, and the NORTH RIVER within the Township of Merrick.
3. That part of the watershed of the NORTH RIVER within the Township of Mulock.
4. That part of the watershed of BALSAM CREEK within the Township of French.

5. Those parts of the watersheds of CAHILL CREEK, BUSH-TRAIL CREEK and the MATTAWA RIVER within the Township of Olrig.
6. Those islands situated in TROUT LAKE, commonly known as Three Sisters, Hemlock, Poplar, Shaftesbury, Trout, Murdock, Fitzsimmons, Dunn, Dave, Joe, Payne, Falconbridge, Rolph and Camp within the Township of East Ferris and the City of North Bay.

As shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Sudbury, as Nos. NBMCA-1 to NBMCA-27, both inclusive.

O. Reg. 278/85, Sched. 1.

REGULATION 163

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—NORTH GREY

1. In this Regulation,

"Authority" means the North Grey Region Conservation Authority;

"building or structure" means a building or structure of any kind;

"fill" means fill of any kind whether originating on the site or elsewhere. R.R.O. 1980, Reg. 172, s. 1.

2. The area described in the Schedules are areas in which in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 172, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area below the high-water mark of a lake, river, creek or stream;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 172, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with

the existing channel will not affect the control of flooding or pollution or the conservation of land. R.R.O. 1980, Reg. 172, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 172, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) two copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) two copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) two copies of a statement of the dates between which the construction will be carried out; and

(d) two copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) two copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) two copies of a complete description of the type of fill proposed to be placed or dumped;

(c) two copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) two copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) two copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) two copies of a description of the protective measures to be undertaken;

(c) two copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) two copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 172, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 172, s. 7.

Schedule 1

Being composed of lands in the County of Grey that extend a distance of not less than one half lot from streams, lakes and watercourses described as follows:

1. That part of the Beaver River and its tributaries from the southerly limit of the Town of Thornbury to its source in the Township of Osprey.

2. That part of the Bighead River and its tributaries from the southerly limit of the Town of Meaford to its source in the Township of Holland.

3. That part of the Sydenham River and its tributaries from the southerly limit of the City of Owen Sound to its source in the Township of Holland.

4. That part of the Pottawatomi River and its tributaries from the westerly limit of the City of Owen Sound to its source in the Township of Derby.

5. The whole of Indian Brook and its tributaries from its entry into Georgian Bay to its source in the Township of Collingwood.

6. The whole of Meaford Creek and its tributaries from its entry into Georgian Bay to its source in the Township of St. Vincent.

7. The whole of Orchard Creek and its tributaries from its entry into Georgian Bay to its source in the Township of St. Vincent.

8. The whole of Sucker Creek and its tributaries from its entry into Georgian Bay to its source in the Township of St. Vincent.

9. The whole of Johnson Creek and its tributaries from its entry into Georgian Bay to its source in the Township of St. Vincent.

10. The whole of Waterton Creek and its tributaries from its entry into Georgian Bay to its source in the Township of St. Vincent.

11. The whole of Keefer Creek and its tributaries from its entry into Georgian Bay to its source in the Township of Sydenham.

12. The whole of Telfer Creek and its tributaries from its entry into Georgian Bay to its source in the Township of Sydenham.

13. That part of the south shore of Georgian Bay, lying between the easterly boundary of the Township of Collingwood and the easterly limit of the Town of Thornbury.

14. That part of the south shore of Georgian Bay lying between the westerly boundary of the Town of Thornbury and the easterly boundary of the Town of Meaford.

15. That part of the south shore of Georgian Bay lying between the westerly boundary of the Town of Meaford and the northeasterly boundary of the City of Owen Sound,

as shown on a map filed in the office of the Registrar of Regulations at Toronto as No. 1347. R.R.O. 1980, Reg. 172, Sched. 1.

Schedule 2

The City of Owen Sound in the County of Grey and being that area of land adjacent to the Sydenham and Pottawatomi Rivers generally bound by street limits adjacent to the rivers, streams and watercourses more particularly described as follows:

Beginning at a line between Lot A Broken Front in the Township of Sydenham and the City of Owen Sound; thence southerly along the westerly limit of the Bay Shore Road to the point of intersection with the Canadian Pacific Railroad right-of-way; thence southerly along the westerly boundary of Canadian Pacific Railroad right-of-way to its terminus at Ninth Street east; thence southerly along the westerly boundary of First Avenue east to Sixth Street east; thence along the southerly boundary of Sixth Street east to its junction with Seventh Avenue east; thence southerly along the westerly boundary

of Seventh Avenue east to the southerly limit of the City of Owen Sound; thence westerly along said city limit including Harrison Park in the City of Owen Sound to the junction of the city limits of Owen Sound with Second Avenue east; thence westerly along the northerly limit of the Creamery Hill Road and the city limits to Fourth Avenue west; thence northerly along the easterly limit of Fourth Avenue west to the junction with Fourteenth Street west; thence westerly along the northerly limit of Fourteenth Street west to its junction with the said city limits; thence northeasterly along the said city limits to the westerly limit of Fifteenth Street west; thence along the northerly limit of Fifteenth Street west to its intersection with Fourth Avenue west; thence along a line described as running parallel to the Pottawatomi River 100 feet north from the river to its intersection with the right-of-way of the Canadian National Railway; thence northerly along the easterly limit of the right-of-way of the Canadian National Railway to its intersection with Third Avenue west; thence northerly along the easterly limit of Third Avenue west to its point of intersection with the city limits of Owen Sound, as shown on a map filed in the office of the Registrar of Regulations at Toronto as No. 1348. R.R.O. 1980, Reg. 172, Sched. 2.

REGULATION 164

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—NOTTAWASAGA VALLEY

1. In this Regulation,

"Authority" means the Nottawasaga Valley Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means a storm producing in a twelve hour period in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

0.6 inches of rain in the first hour
0.8 inches of rain in the second hour
0.4 inches of rain in the third hour
0.1 inches of rain in the fourth hour
0.2 inches of rain in the fifth hour
0.8 inches of rain in the sixth hour
1.7 inches of rain in the seventh hour
0.8 inches of rain in the eighth hour
0.9 inches of rain in the ninth hour
0.5 inches of rain in the tenth hour

TABLE 1—*Continued*

0.5 inches of rain in the eleventh hour
0.3 inches of rain in the twelfth hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (Square Miles)	Percentage
11 to 20 both inclusive	97
21 to 30 both inclusive	94
31 to 40 both inclusive	90
41 to 60 both inclusive	87
61 to 80 both inclusive	84
81 to 100 both inclusive	82
101 to 150 both inclusive	79
151 to 200 both inclusive	76
201 to 300 both inclusive	74
301 to 400 both inclusive	70
401 to 500 both inclusive	68
501 to 600 both inclusive	66
601 to 700 both inclusive	65
701 to 800 both inclusive	64
801 to 900 both inclusive	63
901 to 1000 both inclusive	62
1001 to 1500 both inclusive	58
1501 to 2000 both inclusive	56
2001 to 2500 both inclusive	53
2501 to 3000 both inclusive	50

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 173, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 173, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 173, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of the land. R.R.O. 1980, Reg. 173, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in

any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 173, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 173, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation, if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 173, s. 7.

8. The Authority may, from time to time, appoint officers to enforce this Regulation. R.R.O. 1980, Reg. 113, s. 8.

Schedule 1

In the County of Simcoe, more particularly described as follows:

In the Township of West Gwillimbury in the County of Simcoe and being composed of those parts of the following lots and concessions:

CONCESSION	LOTS
V	1
VI	1, 2, 3, 5
VII	1, 2, 3, 4, 5, 6, 7
VIII	1, 2, 3, 4, 5, 6, 7
IX	1, 2, 3, 4, 5, 6, 7, 8, 9
X	1, 2, 3, 4, 5, 6, 7, 8
XI	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
XII	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
XIII	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
XIV	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16
XV	4, 5, 6, 7, 8, 9, 10, 11, 12

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. NV1-1 to NV1-46, both inclusive. R.R.O. 1980, Reg. 173, Sched. 1.

Schedule 2

In the County of Simcoe, more particularly described as follows:

In the Township of Innisfil in the County of Simcoe and being composed of those parts of the following lots and concessions:

CONCESSION	LOTS
I	3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
II	3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
III	5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
IV	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
V	6, 7, 8, 9, 10, 11, 12, 13, 14, 15
VI	4, 5, 6
VII	1, 2, 3
VIII	1, 2, 3, 4, 5, 6
IX	1, 2, 4, 5, 6
XI	1, 2, 3, 4
XII	1, 2, 3, 4, 5

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. NV2-1 to NV2-17, both inclusive. R.R.O. 1980, Reg. 173, Sched. 2.

Schedule 3

In the County of Simcoe, more particularly described as follows:

In the Township of Tecumseth in the County of Simcoe and being composed of those parts of the following lots and concessions:

Concession	Lots
I	1, 2, 3, 4, 5, 6, 7, 8, 9
II	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
III	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
IV	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21
V	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
VI	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
VII	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
VIII	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18, 20, 21, 22, 23, 24
IX	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
X	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
XI	1, 2, 3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
XII	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24
XIII	6, 7, 8, 9, 11, 12, 13, 17, 18, 19, 20, 21, 22, 23, 24
XIV	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
XV	6, 7, 8, 9, 10, 23, 24

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. NV3-1 to NV3-65, both inclusive. R.R.O. 1980, Reg. 173, Sched. 3.

Schedule 4

In the County of Dufferin, more particularly described as follows:

In the Township of Mono, in the County of Dufferin and being composed of those parts of the following lots and concessions:

Concession	Lots
I WEST	6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31
II WEST	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32
III WEST	7, 8, 9, 10, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 28, 30, 31, 32
I EAST	6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 29, 30, 31, 32
II EAST	6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, 30, 31, 32
III EAST	5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32
IV EAST	5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28
V EAST	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24, 25, 26, 29, 30
VI EAST	11, 12, 13, 14, 15, 16, 17, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32
VII EAST	4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29
VIII EAST	5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31

as shown on maps filed in the Regional Office of the Ministry of Natural Resources at Richmond Hill as Nos. NV4-1 to NV4-60, both inclusive. O. Reg. 423/83, s. 1.

REGULATION 165

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—OTONABEE REGION

1. In this Regulation,

"Authority" means the Otonabee Region Conservation Authority;

"building" means a building or structure of any kind;

"drainage area" means, for a point, the area that contributes runoff to that point;

"fill" means any material used or capable of being used to raise, lower or in any way affect the contours of the ground, whether on a permanent or temporary basis and whether it originated on the site or elsewhere;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means,

(a) for bodies of water in Column 1 of Table 1, the rainfall, snowmelt or the combination of rainfall and snowmelt that would produce the water surface elevations above Canadian Geodetic Datum as set out in Column 2 of Table 1 opposite the bodies of water in Column 1 of Table 1,

(b) for the main channel of the Otonabee River from the confluence with Rice Lake north to Young's Point, the rainfall, snowmelt or the combination of rainfall and snowmelt that would produce a peak flow of 444.80 cubic metres per second, and

(c) for the remainder of the watershed within the jurisdiction of the Authority, a storm producing in a twelve-hour period,

(i) in a drainage area of twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 2, or

(ii) in a drainage area of more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 2 shall be modified by the percentage amount shown in Column 2 of Table 3 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 3;

TABLE 1

COLUMN 1	COLUMN 2
Water Body	Water Surface Elevation (metres)
Rice Lake	187.56
Stoney Lake	235.65
Clear Lake	235.65
Lovesick Lake	241.93
Deer Bay	243.93
Buckhorn Lake	246.89
Chemong Lake	246.89
Pigeon Lake	246.89

TABLE 2

15 mm of rain in the first hour
20 mm of rain in the second hour
10 mm of rain in the third hour
3 mm of rain in the fourth hour
5 mm of rain in the fifth hour
20 mm of rain in the sixth hour
43 mm of rain in the seventh hour
20 mm of rain in the eighth hour
23 mm of rain in the ninth hour
13 mm of rain in the tenth hour
13 mm of rain in the eleventh hour
8 mm of rain in the twelfth hour

TABLE 3

COLUMN 1	COLUMN 2
Drainage Area (km^2)	Percentage
26 to 50 both inclusive	97
51 to 75 both inclusive	94
76 to 100 both inclusive	90
101 to 150 both inclusive	87
151 to 200 both inclusive	84
201 to 250 both inclusive	82
251 to 375 both inclusive	79
376 to 500 both inclusive	76
501 to 750 both inclusive	74

TABLE 3—*Continued*

COLUMN 1	COLUMN 2
Drainage Area (km^2)	Percentage
751 to 1000 both inclusive	70
1001 to 1250 both inclusive	68
1251 to 1500 both inclusive	66
1501 to 1800 both inclusive	65
1801 to 2100 both inclusive	64
2101 to 2300 both inclusive	63
2301 to 2600 both inclusive	62
2601 to 3900 both inclusive	58
3901 to 5200 both inclusive	56
5201 to 6500 both inclusive	53
6501 to 8000 both inclusive	50

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 60/89, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 60/89, s. 2.

3. No person shall, except in accordance with permission issued under section 4,

(a) construct a building or permit a building to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped permanently or temporary in an area described in the Schedules; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse. O. Reg. 60/89, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of a building or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, lake, creek, stream or watercourse if, in the opinion of the Authority, the construction or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel will not adversely affect the control of flooding or pollution or the conservation of land. O. Reg. 60/89, s. 4.

5.—(1) A signed application for permission to construct a building in or on a pond or swamp or in any area susceptible to flooding during a regional storm shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building to be constructed, including drainage details and the method of construction;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building following completion of the construction.

(2) A signed application for permission to place or dump fill in an

area described in the Schedules shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed or dumped, showing the proposed location of the fill, the depth to which it is proposed to be placed or dumped and the proposed final grade of the land when the placing or dumping of fill is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped and the method of placing or dumping the fill;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of the placing or dumping of the fill.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, lake, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross-section the details of the straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken and the method to be used to carry out the straightening, change, diversion or interference;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the straightening, changing, diverting or interfering. O. Reg. 60/89, s. 5.

6. The Authority may at any time withdraw a permission given under section 4 if, in the opinion of the Authority, the representations contained in the application for permission are not carried out. O. Reg. 60/89, s. 6.

7. The Authority may appoint officers to enforce this Regulation. O. Reg. 60/89, s. 7.

Schedule 1

Those lands in the counties of Peterborough and Victoria that extend a distance of not less than one-half lot from the streams, lakes and watercourses as shown shaded on Map OTR1-1 filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill and identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, more particularly described as follows:

1. The whole of the Ouse River and its tributaries from its entry into Rice Lake in the Township of Asphodel to the south boundary of the Village of Norwood in the County of Peterborough.

2. The whole of the Ouse River and its tributaries from the north boundary of the Village of Norwood through the Township of Asphodel to its source in the Township of Dummer in the County of Peterborough.

3. The whole of the Indian River and its tributaries from its entry into Rice Lake in the Township of Otonabee to the east boundary of the Township of Douro in the County of Peterborough.

4. That part of the Otonabee River and its tributaries from the north boundary of the City of Peterborough to the south boundary of the Village of Lakefield in the County of Peterborough.

5. That part of the Otonabee River and its tributaries including Lake Katchiwano from the north boundary of the Village of Lakefield to its source at Clear Lake in the townships of Douro and Smith in the County of Peterborough.

6. That part of Jackson Creek and its tributaries from the boundary between the City of Peterborough and the Township of Smith to the boundary between the Township of Smith and the Township of North Monaghan in the County of Peterborough.

7. That part of Jackson Creek and its tributaries from the boundary between the Township of North Monaghan and the Township of Cavan to its source in the Township of Cavan in the County of Peterborough.

8. That part of Meade Creek and its tributaries from the boundary between the City of Peterborough and the Township of Otonabee to its source in the Township of Douro in the County of Peterborough.

9. That part of an unnamed watercourse from its source in Lot IV, West Communications Road in the Township of Smith through lots IV and V, East Communications Road, to the boundary between the Township of Smith and the City of Peterborough.

10. The whole of Squirrel Creek and its tributaries from its entry into the Otonabee River in the Township of South Monaghan to its source in the Township of Cavan in the County of Peterborough.

11. That part of Baxter Creek and its tributaries from its entry into the Otonabee River in the Township of South Monaghan to the north boundary of the Village of Millbrook in the County of Peterborough.

12. That part of Baxter Creek and its tributaries from the south boundary of the Village of Millbrook to its source in the Township of Cavan in the County of Peterborough.

13. That part of Trout or Cavan or Cavanville Creek and its tributaries from the boundary between the Township of North Monaghan and the Township of Cavan to its source in the Township of Cavan in the County of Peterborough.

14. The whole of Snelgrove Brook and its tributaries from its entry into Lake Katchiwano in the Township of Smith to its source in the Township of Smith in the County of Peterborough.

15. The whole of Sawer Creek and its tributaries from its entry into the Otonabee River in the Township of Douro to its source in the Township of Dummer in the County of Peterborough.

16. The whole of Moore Lake in the Township of Smith in the County of Peterborough.

17. The whole of an unnamed watercourse from Moore Lake to Deer Bay of Buckhorn Lake in the Township of Smith in the County of Peterborough.

18. The shore of Chemong Lake to the confluence between Chemong Lake and Buckhorn Lake in the Township of Smith in the County of Peterborough.

19. That part of the south shore of Buckhorn Lake in the Township of Smith from and including its confluence with Chemong Lake to and including the confluence of Buckhorn Lake and Stoney Lake at Burleigh Falls in the Township of Smith in the County of Peterborough.

20. That part of the shores of Stoney Lake and Clear Lake adjacent to the townships of Smith, Douro and Dummer from the confluence with Buckhorn Lake at Burleigh Falls in the Township of Smith to the easterly boundary between the Township of Dummer and that part of the Township of Belmont and Methuen that was formerly the Township of Methuen in the County of Peterborough.

21. That part of the north shore of Rice Lake and the Trent River adjacent to the townships of South Monaghan, Otonabee and Asphodel in the County of Peterborough and the watershed boundary in the Township of South Monaghan in the County of Peterborough to the west boundary of the Village of Hastings in the County of Northumberland.

22. That part of the north shore of Rice Lake and the Trent River adjacent to the Township of Asphodel in the County of Peterborough from the east boundary of the Village of Hastings in the County of Northumberland to the boundary between the Township of Asphodel and that part of the Township of Belmont and Methuen that was formerly the Township of Belmont in the County of Peterborough. O. Reg. 60/89, Sched. 1.

Schedule 2

That part of the watershed of the Ouse River extending easterly from the road allowance between concessions 7 and 8 of the Township of Asphodel in the County of Peterborough as shown all inclusive delineated by the fill line indicated on Maps OTR2-1 and OTR2-2 dated December 1976 and identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 2.

Schedule 3

That part of the watershed of Pigeon Lake, Buckhorn Lake and Chemong Lake within the Township of Ennismore, in the County of Peterborough as shown shaded on Map OTR3-1, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 3.

Schedule 4

That part of the watersheds of the Otonabee River, Meade Creek (south branch), Meade Creek (north branch), Curtis Creek, Thompson Creek, Bear Creek and Jackson Creek within the City of Peterborough and the townships of Otonabee and North Monaghan in the County of Peterborough as shown delineated by the fill line indicated on Maps OTR4-1 to OTR4-21, inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill, more particularly described as follows:

1. The watershed of the Otonabee River from the north limit of the City of Peterborough to the City of Peterborough Airport.

2. The watershed of Meade Creek (south branch) extending easterly from Little Lake to the easterly limit of the City of Peterborough.

3. The watershed of Meade Creek (north branch) extending easterly from Little Lake to the easterly limit of the City of Peterborough.

4. The watershed of Thompson Creek extending easterly from the Otonabee River to the Trent Canal.

5. The watershed of Bear Creek extending northeasterly from the Otonabee River to the northerly limit of the City of Peterborough.

6. The watershed of Curtis Creek extending easterly from the Otonabee River to the easterly limit of the City of Peterborough.

7. The watershed of Jackson Creek extending northeasterly from the Otonabee River to the northerly limit of the City of Peterborough. O. Reg. 60/89, Sched. 4.

Schedule 5

That part of the watershed of Baxter Creek and its tributaries within the Village of Millbrook in the County of Peterborough as shown delineated by the fill line on Maps OTR5-1 to OTR5-6, inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 5.

Schedule 6

That part of the watershed of Cavan Creek and the Otonabee River in the townships of Cavan, North Monaghan and Otonabee in the County of Peterborough as shown delineated by the fill line on Maps OTR6-2 to OTR6-4, OTR6-6 to OTR6-15, OTR6-17 to OTR6-25, all inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 6.

Schedule 7

That part of the watershed of Ray's Creek and the Otonabee River in the Village of Lakefield in the County of Peterborough as shown delineated by the fill line on Maps OTR7-1 to OTR7-8, inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 7.

Schedule 8

That part of the watershed of Jackson Creek in the Township of North Monaghan in the County of Peterborough as shown delineated by the fill line on Maps OTR8-2 to OTR8-9, inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 8.

Schedule 9

That part of the watershed of Otonabee River within the townships of North Monaghan, South Monaghan and Otonabee within the County of Peterborough as shown delineated by the fill line on Maps OTR9-1 to OTR9-20, inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 9.

Schedule 10

That part of the watershed of Indian River in the Township of Dummer in the County of Peterborough as shown delineated by the fill line on Maps OTR10-1 to OTR10-9, inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 10.

Schedule 11

That part of the watershed of Trent River in the Village of Hastings in the County of Northumberland as shown delineated by the fill line on Maps OTR11-1 to OTR11-5, inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 11.

Schedule 12

That part of the watershed of Byersville Creek in the City of Peterborough in the County of Peterborough as shown delineated by the fill line on Maps OTR12-1 to OTR12-4, inclusive, identified by a stamp of the Registrar of Regulations dated the 16th day of December, 1988, and filed in the Central Regional Office of the Ministry of Natural Resources at Richmond Hill. O. Reg. 60/89, Sched. 12.

REGULATION 166

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—RIDEAU VALLEY

1. In this Regulation,

"Authority" means the Rideau Valley Conservation Authority;

"building or structure" means a building or structure of any kind;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means,

(a) for the main channel of the Tay River, the rainfall and snowmelt or the combination of rainfall and snowmelt which would produce at a point on the River from and including that part of the King's Highway known as No. 7 to and including the easterly limit of the lands shown on Plate 6 of the maps referred to in Schedule 1, a peak flow of 3,500 cubic feet per second,

(b) for the main channel of Kemptville Creek, the rainfall and snowmelt or the combination of rainfall and snowmelt which would produce at a point on the Creek within the Town of Kemptville a peak flow of 8,600 cubic feet per second,

(c) for the main channel of the Rideau River, the rainfall and snowmelt or the combination of rainfall and snowmelt which would produce at Hurdmans Bridge on the River as shown on the Rideau River maps referred to in Schedule 3, a peak flow of 26,000 cubic feet per second,

(d) for the main channel of Stevens Creek, the rainfall and snowmelt or the combination of rainfall and snowmelt which would produce at the Village of Kars as shown on the Stevens Creek maps referred to in Schedule 4, a peak discharge of 3,040 cubic feet per second, and

(e) for the main channel of the Jock River, the rainfall, snowmelt or the combination of rainfall and snowmelt which produce at the Moodie Drive Bridge as shown on the Jock River maps referred to in Schedule 5, a peak discharge of 8,500 cubic feet per second;

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 175, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 175, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 175, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of the land. R.R.O. 1980, Reg. 175, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 175, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 175, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation, if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 175, s. 7.

8. Members of the staff of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 175, s. 8.

Schedule 1

That part of the area under the jurisdiction of The Rideau Valley Conservation Authority, comprising lands within the Town of Perth and the Townships of Drummond and Bathurst in the County of Lanark more particularly described as follows:

The valleys containing the Tay River and its tributaries, Grants Creek and the Little Tay River and being those areas shown delineated by the fill line on the maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville as Nos. RV1-1 to RV1-6, both inclusive. R.R.O. 1980, Reg. 175, Sched. 1.

Schedule 2

That part of the area under the jurisdiction of The Rideau Valley Conservation Authority, comprising lands within the Town of Kemptville in the County of Grenville more particularly described as follows:

The valley containing Kemptville Creek within the Town of Kemptville and being those areas as shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville as Nos. RV2-1 and RV2-2. R.R.O. 1980, Reg. 175, Sched. 2.

Schedule 3

That part of the area under the jurisdiction of The Rideau Valley Conservation Authority, comprising lands within The Regional Municipality of Ottawa-Carleton more particularly described as follows:

The valley containing the Rideau River and its tributaries from its confluence with the Ottawa River south to the Regional Road 4 bridge and being those areas shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville as Nos. RV3-1 to RV3-43, both inclusive. R.R.O. 1980, Reg. 175, Sched. 3.

Schedule 4

That part of the area under the jurisdiction of The Rideau Valley Conservation Authority, comprising lands within The Regional Municipality of Ottawa-Carleton, more particularly described as follows:

The valley containing Stevens Creek from North Cower to Kars and being those areas shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville as Nos. RV4-1 to RV4-3, both inclusive. R.R.O. 1980, Reg. 175, Sched. 4.

Schedule 5

That part of the area under the jurisdiction of The Rideau Valley Conservation Authority, comprising lands within The Regional Municipality of Ottawa-Carleton, more particularly described as follows:

The valley containing Jock River from the Village of Richmond to the Rideau River and being those areas shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville as Nos. RV5-1 to RV5-7, both inclusive. R.R.O. 1980, Reg. 175, Sched. 5.

Schedule 6

That part of the area under the jurisdiction of The Rideau Valley Conservation Authority, comprising lands within The Regional Municipality of Ottawa-Carleton, the United Counties of Leeds and Grenville and the County of Lanark, more particularly described as follows:

The valley containing the Rideau River from the Regional Road 4 bridge, south and west to the Beckwith Street bridge in the separated Town of Smiths Falls and its tributaries and being those areas shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville as Nos. RV6-1 to RV6-19, both inclusive. R.R.O. 1980, Reg. 175, Sched. 6.

Schedule 7

That part of the area under the jurisdiction of The Rideau Valley Conservation Authority, comprising lands within the separated Town of Smiths Falls and the Township of North Elmsley in the County of Lanark and the Township of South Elmsley in the County of Leeds, more particularly described as follows:

The valley containing the Rideau River from Beckwith Street bridge in the separated Town of Smiths Falls west to the Poonamalie Dam and its tributaries and being those areas shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources at Kemptville as Nos. RV7-1 to RV7-2, both inclusive. R.R.O. 1980, Reg. 175, Sched. 7.

REGULATION 167

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—ST. CLAIR REGION

1. In this Regulation,

"Authority" means the St. Clair Region Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes run-off to that point;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or elsewhere, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means a storm producing in a forty-eight hour period in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 1 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

2.90 inches of rain in the first 36 hours
0.25 inches of rain in the 37th hour
0.17 inches of rain in the 38th hour
0.25 inches of rain in the 39th hour
0.50 inches of rain in the 40th hour
0.66 inches of rain in the 41st hour
0.50 inches of rain in the 42nd hour
0.91 inches of rain in the 43rd hour
0.50 inches of rain in the 44th hour
0.50 inches of rain in the 45th hour
2.08 inches of rain in the 46th hour
1.49 inches of rain in the 47th hour
0.50 inches of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
11 to 17 both inclusive	99.2
18 to 25 both inclusive	98.2
26 to 35 both inclusive	97.1
36 to 45 both inclusive	96.3
46 to 55 both inclusive	95.4
56 to 65 both inclusive	94.8
66 to 75 both inclusive	94.2
76 to 85 both inclusive	93.5
86 to 95 both inclusive	92.7
96 to 105 both inclusive	92.0
106 to 175 both inclusive	89.4
176 to 225 both inclusive	86.7
226 to 275 both inclusive	84.0
276 to 325 both inclusive	82.4
326 to 375 both inclusive	80.8
376 to 450 both inclusive	79.3
451 to 550 both inclusive	76.6
551 to 650 both inclusive	74.4
651 to 750 both inclusive	73.3
751 to 850 both inclusive	71.7
851 to 950 both inclusive	70.2
951 to 1050 both inclusive	69.0
1051 to 1750 both inclusive	64.4
1751 to 2250 both inclusive	61.4
2251 to 2750 both inclusive	58.9
2751 to 3000 both inclusive	57.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 176, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 176, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 176, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of the land. R.R.O. 1980, Reg. 176, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 176, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 176, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation, if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 176, s. 7.

8. Members of the staff of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 176, s. 8.

Schedule 1

Being composed of lands in the counties of Kent, Lambton and Middlesex that extend the distance from the streams, lake or watercourses shown by the shaded areas on the maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1257 to 1260, both inclusive, and described as follows:

1. That part of Running Creek and that part of the Sydenham River and their tributaries from the point of their entry into River Chenal Ecarte in the townships of Chatham and Dover, respectively, in the County of Kent, to the south and west boundaries of the Town of Wallaceburg in the County of Kent.

2. That part of the North branch of the Sydenham River and its tributaries, including Otter Creek, from the north boundary of the Town of Wallaceburg to the junction of Bear and Black Creeks in the Township of Sombra in the County of Lambton.

3. The whole of Black Creek and its tributaries from its junction with Bear Creek in the Township of Sombra in the County of Lambton.

4. That part of Bear Creek and its tributaries from its junction with Black Creek in the Township of Sombra in the County of Lambton, to the south boundary of the Town of Petrolia.

5. That part of Bear Creek and its tributaries from the north boundary of the Town of Petrolia to its source in the Township of Warwick in the County of Lambton.

6. That part of the east branch of the Sydenham River and its tributaries from the easterly limit of County Road No. 15, the division between Concession 7 and Concession 8 in the Township of Camden, in the County of Kent, to the southwest boundary of Schedule V, more specifically defined as the westerly limit of Lot 20, Concession 1 in the Township of Metcalfe and the west boundary of the Town of Strathroy, both in the County of Middlesex.

7. That part of the east branch of the Sydenham River and its tributaries, including those flowing into the Town of Strathroy, from the north, northeast and southeast boundaries of the Town of Strathroy to its source in the Township of London in the County of Middlesex. R.R.O. 1980, Reg. 176, Sched. 1.

Schedule 2

Within the limits of the Town of Wallaceburg and being that area of land below the high-water mark bounded generally by the 580 ft. contour line as shown shaded on the maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1260 to 1264, both inclusive.

Saving and excepting thereout and therefrom:

1. That built up area bounded on the east by the limits of the Town of Wallaceburg and described as follows:

Beginning at a point on the Chesapeake and Ohio Railway Line at the line between the east boundary of the Town of Wallaceburg and the west boundary of Lot 14, Concession I, in the Township of Chatham, in the County of Kent; thence westerly along the southerly limit of the Chesapeake and Ohio Railway Line across Gillard Street to the Chesapeake and Ohio Railway spur; thence westerly along the southerly limit of said spur to the 580 ft. contour running parallel to and just south of Wallace Street; thence easterly along this 580 ft. contour, bordering the south bank of the Sydenham River to the easterly limits of the Town of Wallaceburg.

2. That area of land generally below the 580 ft. contour lines, shown shaded and described as follows:

Beginning at the point where the 580 ft. contour bordering Running Creek meets the easterly limit of Forhan Street; thence southerly along the easterly limit to the southerly limit of Haig Street; thence westerly along the southerly limit to the easterly limit of First Street; thence southerly along the easterly limit to the southerly limit of Dufferin Ave.; thence westerly along the southerly limit to the westerly limit of the Chesapeake and Ohio Railway Line; thence southerly along that westerly limit to the 580 ft. contour which it meets at Forhan Street; thence southerly along the 580 ft. contour until it reaches a point near the Sydenham River; thence northerly along the 580 ft. contour on the east bank of the Sydenham River, and latterly, on the east bank of the north branch of the Sydenham River, to a point near Running Creek; thence westerly along the 580 ft. contour on the south bank of Running Creek to the place of beginning. R.R.O. 1980, Reg. 176, Sched. 2.

Schedule 3

That part of the east branch of the Sydenham River below the marked elevations extending easterly from the east boundary of the Town of Wallaceburg in the County of Kent to the westerly limit of County Kent Road No. 15, the division between Concession VII and Concession VIII in the Township of Camden in the County of Kent, as shown on maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1265 to 1274, both inclusive. R.R.O. 1980, Reg. 176, Sched. 3.

Schedule 4

That part of the watershed of Bear Creek and its tributaries below the 650 ft. contour interval within the limits of the Town of Petrolia, in the County of Lambton, as shown on the maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1275 and 1276. R.R.O. 1980, Reg. 176, Sched. 4.

Schedule 5

1. That part of the watershed of the east branch of the Sydenham River and its tributaries within the limits of the Town of Strathroy; in the County of Middlesex, as shown on the maps filed in the office of the Registrar of Regulations at Toronto as Nos. 1277 and 1278.

2. That part of the watershed of the unnamed tributary of the east branch of the Sydenham River within Lot 20, Concession V, in the Township of Adelaide, in the County of Middlesex, and Lot 9, Concession X, and the northwest one-quarter of Lot 8, Concession X, in the Township of Caradoc, in the County of Middlesex, as shown on the map filed in the office of the Registrar of Regulations at Toronto as No. 1260. R.R.O. 1980, Reg. 176, Sched. 5.

REGULATION 168

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—SAUBLE VALLEY

1. In this Regulation,

"Authority" means the Sauble Valley Conservation Authority;

"building or structure" means a building or structure of any kind;

"fill" means fill of any kind whether originating on the site or elsewhere. R.R.O. 1980, Reg. 177, s. 1.

2. The areas described in the Schedule are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 177, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area below the high-water mark of a lake, river, creek or stream;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedule whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 177, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. R.R.O. 1980, Reg. 177, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 177, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) two copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) two copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) two copies of a statement of the dates between which the construction will be carried out; and

(d) two copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) two copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) two copies of a complete description of the type of fill proposed to be placed or dumped;

(c) two copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) two copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse shall be filed with the Authority and shall include,

(a) two copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) two copies of a description of the protective measures to be undertaken;

(c) two copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) two copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 177, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 177, s. 7.

Schedule

Being composed of lands in the counties of Grey and Bruce that extend a distance of not less than one-half lot from streams, lakes and watercourses described as follows:

1. The whole of the Sauble River and its tributaries from its entry into Lake Huron in the Township of Amabel in the County of Bruce to its source in the Township of Elderslie in the County of Bruce.

2. The whole of the Indian River and its tributaries from its entry into Georgian Bay in the Township of Sarawak in the County of Grey to its source in the Township of Keppel in the County of Grey.

3. That part of the south shore of Georgian Bay lying between the northwesterly boundary of the City of Owen Sound and the easterly boundary of the Town of Wiarton in the County of Bruce.

4. That part of Georgian Bay lying between the northerly boundary of the Town of Wiarton and the westerly limit of the Cape Croker Indian Reserve in the Township of Albemarle in the County of Bruce.

5. That part of the east shore of Lake Huron lying between the entrance of Stoney Creek in the Township of Amabel, in the County of Bruce, northwards to where the northerly limit of Albemarle Township, County of Bruce, intersects the shoreline of Lake Huron.

6. The interior lakes of the counties of Grey and Bruce described as follows: Arran, Chesley, Gould, Boat, Spry, Maryville and Silver Lakes in the Township of Amabel, County of Bruce; Sky, Isaac, Beatty and Berford Lakes in the Township of Albemarle, County of Bruce; Francis, Mountain, Bass, Gowan, Charles, Mary and Sheppard Lakes in the Township of Keppel, County of Grey,

as shown on a map filed in the office of the Registrar of Regulations at Toronto as No. 1349. R.R.O. 1980, Reg. 177, Sched.

REGULATION 169

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—SAUGEEN VALLEY

1. In this Regulation,

"Authority" means the Saugeen Valley Conservation Authority;

"building or structure" means a building or structure of any kind;

"drainage area" means, for a point, the area which contributes runoff to that point;

"fill" means earth, sand, gravel, rubble, rubbish, garbage or any other material whether similar to or different from any of the aforementioned materials, whether originating on the site or else-

where, used or capable of being used to raise, lower or in any way affect the contours of the ground;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means a storm producing in a forty-eight hour period in a drainage area of,

(a) ten square miles or less, a rainfall that has the distribution set out in Table 1, or

(b) more than ten square miles, a rainfall such that the number of inches of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

2.90 inches of rain in the first 36 hours
0.25 inches of rain in the 37th hour
0.17 inches of rain in the 38th hour
0.25 inches of rain in the 39th hour
0.50 inches of rain in the 40th hour
0.66 inches of rain in the 41st hour
0.50 inches of rain in the 42nd hour
0.91 inches of rain in the 43rd hour
0.50 inches of rain in the 44th hour
0.50 inches of rain in the 45th hour
2.08 inches of rain in the 46th hour
1.49 inches of rain in the 47th hour
0.50 inches of rain in the 48th hour

TABLE 2

COLUMN 1	COLUMN 2
Drainage Area (square miles)	Percentage
11 to 17 both inclusive	99.2
18 to 25 both inclusive	98.2
26 to 35 both inclusive	97.1
36 to 45 both inclusive	96.3
46 to 55 both inclusive	95.4
56 to 65 both inclusive	94.8
66 to 75 both inclusive	94.2
76 to 85 both inclusive	93.5
86 to 95 both inclusive	92.7
96 to 105 both inclusive	92.0
106 to 175 both inclusive	89.4
176 to 225 both inclusive	86.7
226 to 275 both inclusive	84.0
276 to 325 both inclusive	82.4
326 to 375 both inclusive	80.8
376 to 450 both inclusive	79.3
451 to 550 both inclusive	76.6
551 to 650 both inclusive	74.4
651 to 750 both inclusive	73.3
751 to 850 both inclusive	71.7
851 to 950 both inclusive	70.2
951 to 1050 both inclusive	69.0
1051 to 1750 both inclusive	64.4
1751 to 2250 both inclusive	61.4
2251 to 2750 both inclusive	58.9
2751 to 3000 both inclusive	57.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. R.R.O. 1980, Reg. 178, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. R.R.O. 1980, Reg. 178, s. 2.

3. Subject to section 4, no person shall,

(a) construct any building or structure or permit any building or structure to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill or permit fill to be placed or dumped in the areas described in the Schedules whether such fill is already located in or upon such area, or brought to or on such area from some other place or places; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse. R.R.O. 1980, Reg. 178, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit in writing the construction of any building or structure or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies if, in the opinion of the Authority, the site of the building or structure or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of the land. R.R.O. 1980, Reg. 178, s. 4.

5. No person shall commence to construct any building or structure or dump or place fill or straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse in any area to which section 3 applies before permission to do so has been obtained under section 4. R.R.O. 1980, Reg. 178, s. 5.

6.—(1) A signed application for permission to construct a building or structure shall be filed with the Authority and shall include,

(a) four copies of a plan of the property showing the proposed location of the building or structure, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building or structure to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building or structure following completion of the construction.

(2) A signed application for permission to place or dump fill shall be filed with the Authority and shall include,

(a) four copies of a plan of the property on which the fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change,

divert or interfere in any way with the existing channel of a river, creek, stream or watercourse, shall be filed with the Authority and shall include,

(a) four copies of a plan on which shall be shown in plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. R.R.O. 1980, Reg. 178, s. 6.

7. The Authority may, at any time, withdraw any permission given under this Regulation, if, in the opinion of the Authority, the conditions of the permit are not complied with. R.R.O. 1980, Reg. 178, s. 7.

8. Members of the staff of the Authority are appointed officers to enforce this Regulation. R.R.O. 1980, Reg. 178, s. 8.

Schedule 1

That part of the watershed of the Penetangore River extending easterly from Lake Huron and passing through the Town of Kincardine in the County of Bruce as shown delineated by the fill line coloured red on a map filed in the Regional Office of the Ministry of Natural Resources at London, as No. SV1-1. R.R.O. 1980, Reg. 178, Sched. 1.

Schedule 2

That part of the watershed of the South Penetangore River within the Town of Kincardine in the County of Bruce bounded on the north by Kincardine Avenue, on the east by King's Highway No. 21, on the south by the road allowance between the townships of Huron and Kincardine, and on the west by Lake Huron as shown delineated by the fill line coloured red on the map filed in the Regional Office of the Ministry of Natural Resources at London, as No. SV2-1. R.R.O. 1980, Reg. 178, Sched. 2.

Schedule 3

That part of the watershed of the Saugeen River within the townships of Brant and Carrick, both in the County of Bruce and within the townships of Bentinck, Normanby and the Town of Hanover, all in the County of Grey as shown delineated by the fill line coloured red on maps filed in the Regional Office of the Ministry of Natural Resources at London, as Nos. SV3-1 to SV3-18, both inclusive. R.R.O. 1980, Reg. 178, Sched. 3.

Schedule 4

Those parts of the watersheds of Willow Creek, the Teeswater River, and the Saugeen River within the Village of Paisley in the County of Bruce as shown delineated by the fill line coloured red on maps filed in the Regional Office of the Ministry of Natural Resources at London, as Nos. SV4-1 to SV4-4, both inclusive. R.R.O. 1980, Reg. 178, Sched. 4.

Schedule 5

That part of the watershed of the Saugeen River in the County of Grey, more particularly described as follows:

1. In the Town of Durham in the County of Grey and being composed of part or all of the following blocks or lots as shown on registered plans:

Registered Plan	Block	Lot	Street & Roads
513 (Brown's)		Part of 1	South side of South St.
513 (Douglas)	Part of B, C and D		North side of Douglas St.
513 (Edges)	Part of A and B		East side of Kincardine St.
	Part of C		East side of Rock St.
513 (Presbyterian)		Part of 11 and 12	South side of Durham St.
		Part of 6 to 8, both inclusive and 16 to 18, both inclusive	West side of Bruce St.
505	Part of F	Parts of 5 to 7, both inclusive	South side of Park St.
		Parts of 1 to 4, both inclusive	North side of Park St.
506		Part of 3 and 4, all of 1 and 2	East side of Countess St.
		Part of 5 to 8, both inclusive, all of 1 to 4, both inclusive	West side of Queen St.
		Part of 1 and 10, all of 2 to 9, both inclusive	East side of Queen St.
		Part of 2 to 4, both inclusive, all of 5 to 10, both inclusive	West side of Garafraxa St.
502		Part of 18 and 27, all of 14 to 17, both inclusive	East side of Garafraxa St.
		Part of 14, 15, 22 and 23, all of 16 to 21, inclusive and 24 to 27, both inclusive	West side of Albert St.

Registered Plan	Block	Lot	Street & Roads
		Part of 16, all of 17 to 26, both inclusive	East side of Albert St.
		Part of 16 and 26, all of 17 to 25, both inclusive	West side of Elgin St.
		Part of 17, all of 18 to 25, both inclusive	East side of Elgin St.
		Part of 17, all of 18 to 25, both inclusive	West side of Kincardine St.
500		Part of 1 and 4 to 6, both inclusive, all of 2, 3 and 7	North side of South St.
		Part of 8, all of 1 to 7, both inclusive and 13 to 18, both inclusive	East side of Bruce St.
		Part of 8 and 9, all of 1 to 7, both inclusive and 13 to 18, both inclusive	West side of Countess St.
		Part of 6, 7, 11, 12 and 18, all of 1 to 5, both inclusive, 8 to 10, both inclusive, and 13 to 17, both inclusive	East side of Countess St.
		Part of 5, 6, 12 and 18, all of 1 to 4, both inclusive, 8 to 11, both inclusive, and 13 to 17, both inclusive	West side of Queen St.
		Part of 1 to 3, both inclusive, 6 to 12, both inclusive and 18, all of 4, 5 and 17	East side of Queen St.
		Part of 3 to 7, both inclusive, 12 and 17, all of 13 to 16, both inclusive	West side of Garafraxa St.
	All of A and B	Part of 1 to 7, both inclusive and 10 to 12, both inclusive	North side of Lambton St.
		Part of 1 to 11, both inclusive	North side of Saddler St.
		Part of 5, 6 and 13	East side of Garafraxa St.
		Part of 6, 7 and 13	West side of Albert St.
		Part of 8 and 9	East side of Albert St.
		Part of 8 and 9	West side of Elgin St.
		Part of 8 and 9	East side of Elgin St.
		Part of 8 and 9	West side of Kincardine St.
		Part of 1 to 7, both inclusive	North side of George St.
	All of C and D		South side of George St.
		Part of 6 and 7	North side of Chester St.

2. In the Township of Glenelg in the County of Grey and being composed of the following lots:

Concession	Lot
2 EGR	Lot Part of 56 to 59, both inclusive

As shown delineated by the fill line on maps filed in the Regional Office of the Ministry of Natural Resources, London, Ontario, as Nos. SV5-1, SV5-2 and SV5-4, dated April 1974 and revised 11.5.83 and 15.6.83, No. SV5-3, dated April 1974, and revised 17.8.82, 11.5.83 and 15.6.83, and No. SV5-5, dated April 1974 and revised 11.5.83. O. Reg. 349/85, s. 1.

REGULATION 170

FILL, CONSTRUCTION AND ALTERATION TO WATERWAYS—UPPER THAMES RIVER

1. In this Regulation,

"Authority" means the Upper Thames River Conservation Authority;

"building" means a building or structure of any kind;

"fill" means any material used or capable of being used to raise, lower or in any way affect the contours of the ground whether it originated on the site or elsewhere;

"fill line" means any line designated as such on the maps referred to in the Schedules;

"regional storm" means a storm producing in a forty-eight hour period, in a drainage area of,

(a) twenty-five square kilometres or less, a rainfall that has the distribution set out in Table 1, or

(b) more than twenty-five square kilometres, a rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount

shown in Column 2 of Table 2, opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2:

TABLE 1

73 mm of rain in the first 36 hours
6 mm of rain in the 37th hour
4 mm of rain in the 38th hour
6 mm of rain in the 39th hour
13 mm of rain in the 40th hour
17 mm of rain in the 41st hour
13 mm of rain in the 42nd hour
23 mm of rain in the 43rd hour
13 mm of rain in the 44th hour
13 mm of rain in the 45th hour
53 mm of rain in the 46th hour
38 mm of rain in the 47th hour
13 mm of rain in the 48th hour

TABLE 2

Column 1	Column 2
Drainage Area (square kilometres)	Percentage
0 to 25 both inclusive	100
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1,000 both inclusive	80.8
1,001 to 1,200 both inclusive	79.3
1,201 to 1,500 both inclusive	76.6
1,501 to 1,700 both inclusive	74.4
1,701 to 2,000 both inclusive	73.3
2,001 to 2,200 both inclusive	71.7
2,201 to 2,500 both inclusive	70.2
2,501 to 2,700 both inclusive	69.0
2,701 to 4,500 both inclusive	64.4

"river", "lake", "creek", "stream" or "watercourse" means any river, lake, creek, stream or watercourse under the jurisdiction of the Authority. O. Reg. 171/88, s. 1; O. Reg. 303/88, s. 1.

2. The areas described in the Schedules are areas in which, in the opinion of the Authority, the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill. O. Reg. 171/88, s. 2.

3. No person shall,

(a) construct any building or permit any building to be constructed in or on a pond or swamp or in any area susceptible to flooding during a regional storm;

(b) place or dump fill of any kind or permit fill to be placed or dumped in any area described in the Schedules whether the fill is already located in or upon the area or brought to or on the area from some other place; or

(c) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse,

except in accordance with a permission issued under section 4. O. Reg. 171/88, s. 3.

4. Subject to the *Ontario Water Resources Act* or to any private interest, the Authority may permit, in writing, the construction of any building or the placing or dumping of fill or the straightening, changing, diverting or interfering with the existing channel of a river, creek, stream or watercourse to which section 3 applies, if, in the opinion of the Authority, the site of the building or the placing or dumping and the method of construction or placing or dumping or the straightening, changing, diverting or interfering with the existing channel will not affect the control of flooding or pollution or the conservation of land. O. Reg. 171/88, s. 4.

5.—(1) A signed application for permission to construct a building must be filed with the Authority and include,

(a) four copies of a plan of the property showing the proposed location of the building, its elevation and the proposed final grade plan;

(b) four copies of a complete description of the type of building to be constructed, including drainage details;

(c) four copies of a statement of the dates between which the construction will be carried out; and

(d) four copies of a statement of the proposed use of the building following completion of the construction.

(2) A signed application for permission to place or dump fill must be filed with the Authority and include,

(a) four copies of a plan of the property on which fill is to be placed, showing the proposed location of filling, the depth to which it is proposed to fill and the proposed final grade of the land when filling is completed;

(b) four copies of a complete description of the type of fill proposed to be placed or dumped;

(c) four copies of a statement of the dates between which the placing or dumping will be carried out; and

(d) four copies of a statement of the proposed use of the land following completion of placing or dumping.

(3) A signed application for permission to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse must be filed with the Authority and include,

(a) four copies of a plan on which shall be shown on plan view and cross section the details of such straightening, change, diversion or interference;

(b) four copies of a description of the protective measures to be undertaken;

(c) four copies of a statement of the dates between which the straightening, changing, diverting or interfering will be carried out; and

(d) four copies of a statement of the purpose of the proposed work. O. Reg. 171/88, s. 5.

6. Staff members of the Authority are appointed officers to enforce this Regulation. O. Reg. 171/88, s. 6.

Schedule 1

CITY OF LONDON

That part of the watershed of the Thames River in the County of Middlesex extending upstream from the northwesterly corner of the City of London, adjacent to Lot 28 in Concession II of the Township of London to,

(a) the Fanshawe Dam on the north branch of the River Thames, in Lot 3 in concessions III and IV in the Township of London; and

(b) the road forming the boundary between the Township of Westminster and the Township of Dorchester North at the bridge crossing the south branch of the River Thames,

being the area shown on the following maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987:

1. The area outlined on the maps numbered UTR 1-1 through UTR 1-31.

2. The area between the fill lines on the maps numbered UTR 1-32 and UTR 1-33.

O. Reg. 171/88, Sched. 1.

Schedule 2

TOWN OF MITCHELL

That part of the watershed of the Thames River in the Town of Mitchell and in the townships of Fullarton and Logan, all in the County of Perth, extending upstream from,

(a) the road allowance between concessions II and III in the Township of Logan; and

(b) the confluence of Whirl Creek with the Thames River to the line between lots 22 and 23 in Concession I in the Township of Fullarton, being the easterly limit of the Town of Mitchell,

being the area between the fill lines shown on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Nos. UTR 2-1 to UTR 2-3, all inclusive, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

O. Reg. 171/88, Sched. 2.

Schedule 3

CITY OF STRATFORD

That part of the watershed of the Thames River in the City of Stratford in the County of Perth upstream from the westerly boundary of that city lying northeast of the line between concessions I and II in the Township of Downie and southeast of the lot line between lots 3 and 4 in Concession II in that township to the easterly boundary of that city, being the line between lots 44 and 45 in Concession I in the Township of North Easthope, being the area between the fill lines shown on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Nos. UTR 3-1 and UTR 3-2, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

O. Reg. 171/88, Sched. 3.

Schedule 4

TOWN OF ST. MARYS

That part of the watershed of the Thames River in the County of Perth extending upstream,

(a) from the southwesterly boundary of the Town of St. Marys adjacent to Lot 26 in the Thames River Concession in the Township of Blanshard to the northerly limit of the Town of St. Marys adjacent to lots 15 and 16 in Concession XV in the Township of Blanshard; and

(b) along Trout Creek from its confluence with the Thames River to the northerly limit of the easterly limit of the Town of St. Marys adjacent to Lot 16 in Concession XIX in the Town of St. Marys,

being the area between the fill lines shown on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Nos. UTR 4-1 to UTR 4-4, all inclusive, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

O. Reg. 171/88, Sched. 4.

Schedule 5

SOUTH BRANCH OF THAMES RIVER

That part of the watershed of the South Branch of the Thames River within the Town of Ingersoll and the Township of South-West Oxford, in the County of Oxford, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 5-1 to UTR 5-15 and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

MUNICIPALITY	LOT	CONCESSION	BLOCK	REGISTERED PLAN
Town of Ingersoll	24	B.F. (formerly Twp. of Southwest Oxford)		
	1-8			R.P. 44
	7-12		R	R.P. 95
	11-15		S	R.P. 95
	6A-9A, 16A, 10B-16B, 16, 17		I	R.P. 279
	25-30		2	R.P. 279

MUNICIPALITY	LOT	CONCESSION	BLOCK	REGISTERED PLAN
	128-132		3	R.P. 279
	10-13		9	R.P. 279
	3A, 7-9		10	R.P. 279
	1-7, 3A, 4A, 6A-8A		12	R.P. 279
	138		18	R.P. 279
	18-25, 127		34	R.P. 279
	18-31, 23A, 169-171, 293		35	R.P. 279
	16, 17, 172, 173		36	R.P. 279
	1-9, 180		38	R.P. 279
	1-23, 182-189, 295		39	R.P. 279
			39	R.P. 279
	1-6, 190, 191		40	R.P. 279
			70	R.P. 279
	4, 9, 10, 11, 245		71	R.P. 279
	6-8, 246		72	R.P. 279
	294		102	R.P. 279
Township of South-West Oxford (formerly West Oxford Twp.)	1-17, 24-30			B.F.
	Gore			B.F.
	1-4 (N.E. of Embro St.)			R.P. 37
	1-25 (N. of Oxford St., Range 1)			R.P. 37
	1-23 (N. of Oxford St., Range 2)			R.P. 37
	6-22 (N. of Oxford St., Range 3)			R.P. 37
	11-23 (N. of Oxford St., Range 4)			R.P. 37
	17-23 (N. of Oxford St., Range 5)			R.P. 37
	19-23 (N. of Oxford St., Range 6)			R.P. 37
	20-23 (N. of Oxford St., Range 7)			R.P. 37
	1-26 (S. of Oxford St., Range 1)			R.P. 37
	1-13, 16-23 (S. of Oxford St., Range 2)			R.P. 37
	6-10, 16-21 (S. of Oxford St., Range 3)			R.P. 37
	16-20 (S. of Oxford St., Range 4)			R.P. 37
	1, 2, 6-8, 10-17, 22			R.P. 75
	5-22 (W. of Water St.)			R.P. 115A
	D, E, I, J, K, L, M, N, O (N. of Main St.)			R.C.P. 154
	12-24 (N. of Main St.)			R.C.P. 154
	11-16, 22 (W. of Zorra St.)			R.C.P. 154

MUNICIPALITY	LOT	CONCESSION	BLOCK	REGISTERED PLAN
	1-5 (E. of Zorra St., N. of Hook St.)			R.C.P. 154
	6-13 (N. of Hook St.)			R.C.P. 154
			P (E. of Zorra St., S. of Hook St.)	R.C.P. 154
	1-14, A (Elliott Survey N. of Main St.)			R.P. 155
			A (N. of Main St.)	R.P. 155
	1-3, 5			R.P. 538

O. Reg. 171/88, Sched. 5.

Schedule 6

CITY OF WOODSTOCK

That part of the watershed of the South Branch or the main branch of the Thames River and Cedar Creek, all within the limits of the City of Woodstock, being the area between the fill lines shown on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Nos. UTR 6-1 to UTR 6-3, all inclusive, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

O. Reg. 171/88, Sched. 6.

Schedule 7

TOWNSHIP OF BLANDFORD-BLENHEIM

That part of the watershed of the South Branch of the Thames River, within the Township of Blandford-Blenheim (formerly the Township of Blandford), in the County of Oxford, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. 1-15, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

LOT	CONCESSION	BLOCK	REGISTERED PLAN
5-13, 15	II		
3-8, 12-15	III		
3-12	IV		
2-4, 8, 9	V		
7, 8	VI		
7, 8	VII		
7-9	VIII		
9-12	IX		
11, 12	X		
1-8 (W. of King St.)			R.P.111
9-12 (S. of Harwood St.)			R.P.111
1-4, 7			R.C.P.1624

O. Reg. 171/88, Sched. 7.

Schedule 8

TOWNSHIP OF ZORRA

That part of the watershed of the Thames River, within the Township of Zorra, in the County of Oxford, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. 16-97, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

LOT	CONCESSION	BLOCK	REGISTERED PLAN
7-9, 12-18, 25-35	I (formerly W. Zorra Twp.)		
5-8, 20, 26-36	II (formerly W. Zorra Twp.)		
6-8, 16-20, 26-36	III (formerly W. Zorra Twp.)		
6-9, 12-20, 26-35	IV (formerly W. Zorra Twp.)		
8-26, 35, 36	V (formerly W. Zorra Twp.)		
3-6, 9-11, 13, 14, 18-20, 26, 27	VI (formerly W. Zorra Twp.)		
2-5, 10-15, 18, 19, 35, 36	VII (formerly W. Zorra Twp.)		
14-18, 35, 36	VIII (formerly W. Zorra Twp.)		
19-24	VIII (formerly E. Nissouri Twp.)		
24-26	IX (formerly E. Nissouri Twp.)		
1-4, 22, 23	X (formerly E. Nissouri Twp.)		
3-24, 29	XI (formerly E. Nissouri Twp.)		
5-10, 17-27, 29, 30, 33-36	XII (formerly E. Nissouri Twp.)		
7-9, 17-19, 23-25, 29, 30, 32-35	XIII (formerly E. Nissouri Twp.)		
8-14, 17-19, 23-25, 29-36	XIV (formerly E. Nissouri Twp.)		
8, 19, 20, 22-25	I (formerly N. Oxford Twp.)		

Lot	Concession	Block	Registered Plan
7-9	II (formerly N. Oxford Twp.)		
11, 13, 14	III (formerly N. Oxford Twp.)		
5, 7, 8, 13	IV (formerly N. Oxford Twp.)		
1-8	V (formerly N. Oxford Twp.)		
22-24	I (formerly N. Oxford Twp.) (formerly N. Dorchester Twp.)		
20-22	II (formerly N. Oxford Twp.) (formerly N. Dorchester Twp.)		
20-23	III (formerly N. Oxford Twp.) (formerly N. Dorchester Twp.)		
19-23	IV (formerly N. Oxford Twp.) (formerly N. Dorchester Twp.)		
19-24	V (formerly N. Oxford Twp.) (formerly N. Dorchester Twp.)		
22 (N. of Commissioner)			R.P. 39
Park Lots 5, 9			R.P. 45
4-8		D	R.P. 64
11-13		E	R.P. 64
3-20		H	R.P. 64
1-6		I	R.P. 64
9-20, 37-48			R.P. 69
353-377, 383-390, 397-404, 418, 419			R.P. 75
		A, E, F, G, H, I, S, U	R.P. 81
1, 2, 12, 13 (E. of Concession Rd.)			R.P. 81
4-9 (S. of Ann St.)			R.P. 81
1-3 (N. of Wallace St.)			R.P. 81
1-21 (S. of Scott St.)			R.P. 81
1-4		D	R.P. 87
2, 3, 5, 6		N	R.P. 87
2-4, 6, 7		O	R.P. 87
1, 2		P	R.P. 87
1-4		R	R.P. 87
1-4		S	R.P. 87
D, E		T	R.P. 87
4-6 (E. of Brown St.)			R.P. 87
1-22 (S. of Charlotte St.)			R.P. 87
1-3 (W. of East St.)			R.P. 87
1-6 (W. of Fraser St.)			R.P. 87
1, 2 (E. of Fraser St.)			R.P. 87
1-26 (N. of Main St.)			R.P. 87
1-4 (E. of West St.)			R.P. 87
1-5 (W. of West St.)			R.P. 87
1-25 (E. of Allen St.)			R.P. 105
1, 3-15, C (W. of Milton St.)			R.P. 105
Park Lots 8-12			R.P. 145
G, H (S. of Commissioner)			R.P. 145
1-8		M	R.P. 161
1-4 (N. of Hallady St.)			R.P. 164
20			R.P. 230
1, 4-12			R.P. 266
1, 18, 19			R.P. 956
		A, H, J	R.P. 956
1-5			R.C.P. 1258
10			R.C.P. 1268

O. Reg. 171/88, Sched. 8.

Schedule 9

TOWNSHIP OF WESTMINSTER

That part of the watershed of the Thames River within the Township of Westminster, in the County of Middlesex, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. 98-125, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

Lot	Concession	Block	Registered Plan
1-12	B.F. (Broken Front)		
46-50	A		
47-48	B		
2, 6-12, 46-49	I		
30, 32, 33, 35, 36, 38	II		
1-24	III		
5, 7-24	IV		
13-15	V		
67-79	W.T.R. (West Talbot Road)		
65-72	E.T.R. (East Talbot Road)		
48N			
48C			
6, 7			R.P. 747
		A, C, D	R.P. 906
43, 44, 52-54			R.P. 1021
		K	R.P. 1021
1-3, 14			M-64
		A	M-64
7, 8, 13, 14, 16, 18-23			M-71
		D, E	M-71
3-8			M-123

O. Reg. 171/88, Sched. 9.

Schedule 10

TOWNSHIP OF EAST ZORRA-TAVISTOCK

That part of the watershed of the South Branch of the Thames River, within the Township of East Zorra-Tavistock, in the County of Oxford, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 10-1 to UTR 10-36, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

Lot	Concession	Block	Registered Plan
26-30	I (formerly N. Oxford Twp.)		
1, 2, 14-16, 35, 36	IX (formerly E. Zorra Twp.)		
1, 2, 4-7, 13-16, 35, 36	X (formerly E. Zorra Twp.)		
1, 3-7, 13-16, 18-20	XI (formerly E. Zorra Twp.)		
3-6, 14-18, 25, 26	XII (formerly E. Zorra Twp.)		
4	XIII (formerly E. Zorra Twp.)		
4, 5, 18, 19	XIV (formerly E. Zorra Twp.)		
5-8, 15-18, 22, 25-27	XV (formerly E. Zorra Twp.)		
5-7, 16-25	XVI (formerly E. Zorra Twp.)		
7-11, 15-17	XVII (formerly E. Zorra Twp.)		
10-15	XVIII (formerly E. Zorra Twp.)		
10-12 (north of Alma St.)			R.P. 59
25, 26 (north of Napoleon St.)			R.P. 59
29-33 (E. of Inkerman St.)			R.P. 59
9-14 (E. of Grave Rd.)			R.P. 74
11-14 (W. of Oxford St.)			R.P. 74
14 (E. of Oxford St.)			R.P. 74
89, 90, 92-94, 135, 136, 138			R.P. 111
Park Lot 22			R.P. 111
		D (E. of Queen St.)	R.P. 111
1, 2			R.P. 259
2-6			R.P. 590
2-4			M-47
1-4			M-61

O. Reg. 171/88, Sched. 10.

Schedule 11

TOWNSHIP OF LONDON

That part of the watershed of the Thames River, within the Township of London in the County of Middlesex, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Nos. UTR 11-1 to UTR 11-38, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

Lot	Concession	Block	Registered Plan
26-28	II		
1-4, 25-32	III		
1-9, 27, 28	IV		
1-3, 5-10, 18-20	V		

Lot	Concession	Block	Registered Plan
1-3, 5, 6, 9-11, 17-20, 27-32	VI		
6, 10, 14-18, 27, 28	VII		
10-15, 25-28	VIII		
10, 11, 15, 16	IX		
7-12, 15, 16	X		
12, 16	XI		
15-17	XII		
14, 15	XIII		
13, 14	XIV		
13-16	XV		
15, 16	XVI		
6, 7 E. of Elgin St.			R.P. 85
16, 17			R.P. 91
Reserved Portion			R.P. 120
8			R.P. 661
2-5, 12-13, 14-16, 19-21, 25-27			R.C.P. 1028

O. Reg. 171/88, Sched. 11.

Schedule 12

TOWNSHIP OF NORTH DORCHESTER

That part of the watershed of the Thames River, within the Township of North Dorchester, in the County of Middlesex, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 12-1 to UTR 12-33, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

Lot	Concession	Block	Registered Plan
3-5, 13-15, 17, 18	I NTR (North Thames River)		
1-5, 12-17	II NTR (North Thames River)		
1-4, 8, 14-17	III NTR (North Thames River)		
1-12, 15-18	IV NTR (North Thames River)		
12-18	V NTR (North Thames River)		
1-4, 8-24	A		
A, B, 1-21	B		
3-5, 10-18, 21, 22	I STR (South Thames River)		
A, B, 2-7, 10-12, 16-18, 20-24	II STR (South Thames River)		
6-10, 16-18, 21-23	III STR (South Thames River)		
9, 10	IV STR (South Thames River)		
1 (E. side of Bridge St.)			R.P. 52
1 (W. Side of Bridge St.)			R.P. 52
8A (W. of Hill St.)			R.P. 52
9A (E. of Hill St.)			R.P. 52
10-15 (S. side of Railroad St.)			R.P. 52
1A, 2A (W. of Thames St.)			R.P. 52
4A (E. of Thames St.)			R.P. 52
3-12			R.P. 133
1-10 (E. of Elgin Rd.)			R.P. 158
1-10 (E. of Rd. Thro. Lot 11)			R.P. 158
1-10 (W. of Rd. Thro. Lot 11)			R.P. 158
1-10 (E½ Lot 15, Con. I)			R.P. 185
1-4 (SW¼ Lot 14, Con. I)			R.P. 185
1-6 (W. of Thames St. and S. of Marshall St.)			R.P. 192
7, 8 (W. of Thames St. and N. of Marshall St.)			R.P. 192
1-9 (E. of Thames St.)			R.P. 192
2 (E. of Thames St. and N. of Main St.)			R.P. 192
1-5 (S. of Main St. and S. of Thames St.)			R.P. 192
4-7 (N. of Main St. and W. of Thames St.)			R.P. 192
1-4 (N. of Main St. and W. of Water St.)			R.P. 192
B, 1-9 (W. of Malahide St.)			R.P. 192
		A	R.P. 192
1-16 (S. of Catherine St.)			R.P. 274

LOT	CONCESSION	BLOCK	REGISTERED PLAN
3-7, 9, 10 (N. of Hamilton Rd.)			R.P. 345
1, 2 (S. of Sage St.)			R.P. 351
3-5 (S. of Sage St.)			R.P. 351
2-8			R.P. 737
1-12			R.P. 786
1-29			R.P. 804
		C	R.P. 804
5-18, 13			R.P. 849
7-13			R.P. 874
4, 5			R.P. 898
1-9, 11, 13, 15-17, 19, 20, 24-34, 42-52, 65			R.C.P. 1020
		G, H, I	R.C.P. 1020

O. Reg. 171/88, Sched. 12.

Schedule 13

TOWNSHIP OF FULLARTON

That part of the watershed of the North Branch of the Thames River, within the Township of Fullarton, in the County of Perth, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 13-1 to UTR 13-22, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

LOT	CONCESSION	BLOCK	REGISTERED PLAN
13-15, 19-22	I		
14-20, 24, 25	II		
23-25	III		
1, 22-24	IV		
1-3, 20-22	V		
3, 4, 20, 21	VI		
4-8, 16-20	VII		
7-10, 17-19	VIII		
4, 5, 10-18	IX		
17-31	XVII		
19, 20, 25, 26, 29	XVIII		
2-31	E.M.R. (Concession East of Mitchell Road)		
8, 9, 16, 17	W.M.R. (Concession West of Mitchell Road)		
38-43, 48, 49, Reserve			R.P. 306
Part 50, Part 51, Part 52			R.P. 306
1-8 (East of Hwy. 23)			R.P. 310
3-5			R.P. 507

O. Reg. 171/88, Sched. 13.

Schedule 14

TOWNSHIP OF BLANSHARD

That part of the watershed of the North Branch of the Thames River, within the Township of Blanshard, in the County of Perth, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 14-1 to UTR 14-33, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

LOT	CONCESSION	BLOCK	REGISTERED PLAN
8-10, 18	I		
10-19	II		
3	VI		
3-6	VII		
6-8, 18, 19	VIII		
8, 19	IX		
8, 9, 19	X		
9-25	XI		
13, 19, 20, 22, 24, 25	XII		
19	XIII		
13	XIV		
1-6, 8-16	XV		
1-12	XVI		
11, 12	XVII		
16	XIX		
5-8, 10-12	W.B.C. (West Boundary Concession)		
2-5, 20-27	W.M.R. (West Mitchell Road Con.)		
4-10, 18, 19, 20-26	E.M.R. (East Mitchell Road Con.)		
4, 7-9, 13, 14, 17, 18	N.B.C. (North Boundary Con.)		
27-31	S.B.C. (South Boundary Con.)		
26-34, 43-49	T.R.C. (Thames River Con.)		
1-4, 11-14			R.P. 295

Lot	Concession	Block	Registered Plan
			R.P. 297
1-3 (N. of Kirk Ave.)		B	R.P. 325

O. Reg. 171/88, Sched. 14.

Schedule 15

TOWNSHIP OF LOBO

That part of the watershed of the Thames River, within the Township of Lobo, in the County of Middlesex, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 15-1 to UTR 15-12, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

Lot	Concession	Block	Registered Plan
1-13	I		
1-3, 7-9, 11-13	II		
1, 6-15	III		
15	IV		
1-5			R.P. 935
1, 21, 31-35, 48			R.P. 958
		A, B	R.P. 958
1-9			R.P. 1008

O. Reg. 171/88, Sched. 15.

Schedule 16

TOWNSHIP OF WEST NISSOURI

That part of the watershed of the Thames River within the Township of West Nissouri, in the County of Middlesex, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 16-1 to UTR 16-27, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

Lot	Concession	Block	Registered Plan
8-18, 22-24, 35, 36	I		
10-36	II		
14-19, 26-36	III		
18-20, 32-35	IV		
19, 33-35	V		
7-10, 32, 33	VI		
9-19, 32, 33	VII		
1-6 (N. of High St.)			R.P. 99
3, 4 (E. of Harrison St.)			R.P. 255
1-3 (W. of Harrison St.)			R.P. 255
1-6, A, B (N. of Queen St.)			R.P. 255
1-3 (E. of Temperance St.)			R.P. 255
8, 9 (E. of Harrison St.)			R.P. 372
4-6 (W. of Harrison St.)			R.P. 372
D (W. of Temperance St.)			R.P. 372

O. Reg. 171/88, Sched. 16.

Schedule 17

TOWNSHIP OF NORWICH

That part of the watershed of the South Branch of the Thames River, within the Township of Norwich (formerly East Oxford Township), in the County of Oxford, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 17-1 to UTR 17-10, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

Lot	Concession	Block	Registered Plan
13-17, 19, 20	III		
15, 16, 19-21	IV		
19-21	V		
14-16, 20, 21	VI		
13-15	VII		

O. Reg. 171/88, Sched. 17.

Schedule 18

TOWNSHIP OF DELAWARE

That part of the watershed of the Thames River, within the Township of Delaware, in the County of Middlesex, that affects the following lots as shown delineated by the fill line and shaded on maps filed in the Regional Office of the Ministry of Natural Resources at London, Ontario as Map Nos. UTR 18-1 to UTR 18-11, and identified by a stamp of the Registrar of Regulations dated the 21st day of September, 1987.

Lot	Concession	Block	Registered Plan
1-5	I		
1-5	II		
1-5	III		
1-4	IV		
1-4	D		
A, B, C, D, AE	Gore		

Lot	Concession	Block	Registered Plan
18-20, 41-46 (E. Side of York St.)			R.P. 47
Park Lot 15, Park Lot 16			R.P. 47
11-18, 45, 78, 79, 84-92			R.P. 305
2-5			R.P. 316
6-15			R.P. 382
1, 24-26			R.C.P. 400
21, 23-25			R.C.P. 427
1, 2, 4, 5, 9-11, 15-20, 22-27			R.C.P. 428
2, 3, 6, 7, 10, 12-15, 20, 22, 23, 28-31, 41, 44			R.C.P. 429
1-5			M-23

O. Reg. 171/88, Sched. 18.

Consolidated Hearings Act
Loi sur la jonction des audiences

REGULATION 171

AGGREGATE RESOURCES ACT

1. The *Aggregate Resources Act* is prescribed for the purposes of section 2 of the *Consolidated Hearings Act*. O. Reg. 201/90, s. 1.

2. All undertakings to which the *Consolidated Hearings Act* would apply because of the effect of section 1 are exempt from the application of the Act except the proposed undertaking including all alternatives to it by The Municipality of Metropolitan Toronto to acquire lots 29 and 30, Concession 3, Town of Vaughan, The Regional Municipality of York, to extract clay therefrom, to transport the clay to the Keele Valley Landfill Site and to construct the clay liner and final cover for the Keele Valley Landfill Site. O. Reg. 201/90, s. 2.

REGULATION 172

CONSERVATION AUTHORITIES ACT

1. The *Conservation Authorities Act* is prescribed for the purposes of section 2 of the *Consolidated Hearings Act*. O. Reg. 194/84, s. 1

2. All undertakings to which the *Consolidated Hearings Act* would apply because of the effect of section 1 are exempt from the application of the *Consolidated Hearings Act* except,

(a) the undertaking known as Redhill Creek Expressway and all alternatives thereto as described in Ontario Regulation 674/80; and

(b) the proposed undertaking including all alternatives thereto by The Regional Municipality of Halton to establish waste disposal landfill sites on,

(i) the north half of lots 2 and 3, Concession 1, north of the King's Highway known as 403 and south half of Lot 3, Concession 2, all in the City of Burlington, and

(ii) parts of lots 3, 4 and 5, Concession 2, in the Town of Milton;

(c) the proposed undertaking including all alternatives thereto by the Ontario Waste Management Corporation to establish a hazardous waste management treatment and disposal system for Ontario, consisting of physical chemical treatment facilities, incineration facilities, waste residue treatment facilities, a shallow entombed landfill and related facilities, in the Township of West Lincoln, in The Regional Municipality of Niagara. O. Reg. 8/87, s. 2; O. Reg. 578/89, s. 1.

REGULATION 173

HEARINGS

1. In this Regulation "Listed Act" means an Act set out in the Schedule to the *Consolidated Hearings Act* or prescribed by regulation for the purpose of section 2 of the Act. O. Reg. 688/81, s. 1.

2. Where a Notice to the Hearings Registrar has been given under subsection 3 (1) of the *Consolidated Hearings Act* concerning an undertaking for which an approval is required under the *Environmental Assessment Act*, the hearing by the joint board shall not be commenced before the expiration of the period established under subsection 7 (2) of the *Environmental Assessment Act*. O. Reg. 688/81, s. 2.

3.—(1) Before the commencement of a joint board hearing, a meeting may be held to make a preliminary determination as to what matters related to the proposed undertaking are in issue between the proponent of the undertaking and the other prospective parties to the hearing and what matters related to the proposed undertaking are not in issue between the proponent and the other prospective parties.

(2) The Hearings Registrar shall give notice of the time and place of a meeting to be held under subsection (1) to the proponent and such other persons as have indicated, in writing, to the Hearings Registrar that they wish to participate in the hearing.

(3) A meeting under subsection (1) may be held by the Hearings Registrar or the joint board or any member of it. O. Reg. 688/81, s. 3.

4. At the commencement of a joint board hearing, the joint board shall require persons who wish to be a party at the hearing to identify themselves. O. Reg. 688/81, s. 4.

5.—(1) At or before the commencement of a hearing, every person who is a party to the hearing under section 8 of the *Consolidated Hearings Act*, shall file a notice in writing with the joint board stating the matters that the party believes are in issue between the party and the other parties and the matters that the party believes all parties are in agreement on.

(2) Every person who expresses satisfaction with the determination made under subsection 3 (1) is exempt from subsection (1). O. Reg. 688/81, s. 5.

6. Sections 4 and 5 do not apply to prevent a person from being made a party to a hearing during the course of the hearing. O. Reg. 688/81, s. 6.

7.—(1) Fees shall be paid in respect to a proceeding before a joint board by the person giving notice under subsection 3 (1) of the *Consolidated Hearings Act*.

(2) The amount of the fees to be paid under subsection (1) is the amount that would, but for the *Consolidated Hearings Act*, be payable to the Ontario Municipal Board under the regulation under the *Ontario Municipal Board Act*.

(3) Where the application of subsection (2) would result in no fee being payable, the fee payable shall be $50.

(4) Where a fee has been paid under the *Ontario Municipal Board Act* with respect to the undertaking, the amount of the fee payable under this section shall be reduced by the amount of the fee paid under the *Ontario Municipal Board Act*. O. Reg. 688/81, s. 7.

8. An undertaking in relation to which,

(a) a hearing described in Column 1 of the Schedule to this Regulation is or may be required; and

(b) no other hearing under one of the Listed Acts, other than a hearing described in Column 2 of the Schedule opposite the first described hearing, is or may be required,

is exempt from section 2 of the *Consolidated Hearings Act*. O. Reg. 200/82, s. 1.

9.—(1) Every undertaking in respect of which a hearing has been completed before the date referred to in section 3 of the *Consolidated Hearings Act*, whether or not a decision has been made or issued following upon the hearing, is exempt from subsection 24 (2) of the Act.

(2) Every undertaking is exempt from the provisions of subsection 24 (4) of the *Consolidated Hearings Act*. O. Reg. 688/81, s. 9.

Schedule

ITEM	COLUMN 1	COLUMN 2
1.	Section 50 of the *Planning Act*	Section 45 of the *Planning Act*
2.	Any hearing	Any hearing on an appeal or other review of a decision made in connection with the hearing referred to in Column 1
3.	A hearing by the Environmental Appeal Board	Hearings by the Ontario Municipal Board and hearings by tribunals following which a decision may be made that may be appealed to the Ontario Municipal Board

O. Reg. 200/82, s. 2.

REGULATION 174

LAKES AND RIVERS IMPROVEMENT ACT

1. The *Lakes and Rivers Improvement Act* is prescribed for the purposes of section 2 of the *Consolidated Hearings Act*. O. Reg. 174/89, s. 1.

2. All undertakings to which the *Consolidated Hearings Act* would apply because of the effect of section 1 are exempt from the application of the Act except,

(a) the proposed undertaking including all alternatives thereto by The Municipality of Metropolitan Toronto to acquire lots 29 and 30, Concession 3, Town of Vaughan, The Regional Municipality of York, to extract clay therefrom, to transport the clay to the undertaking known as the Keele Valley Landfill Site and to construct the clay liner and final cover for the Keele Valley Landfill; and

(b) the proposed undertaking including all alternatives thereto by the Ontario Waste Management Corporation to establish a hazardous waste management treatment and disposal system for Ontario, consisting of physical chemical treatment facilities, incineration facilities, waste residue treatment facilities, a shallow entombed landfill and related facilities, in the Township of West Lincoln, in The Regional Municipality of Niagara. O. Reg. 577/89, s. 1.

Construction Lien Act
Loi sur le privilège dans l'industrie de la construction

REGULATION 175

GENERAL

1. The office of the Crown to which a copy of a claim for lien must be given under subsection 34 (3) of the Act is as follows:

1. Where the contract is with a Ministry of the Crown, the office of the Director of Legal Services of that Ministry.

2. Where the contract is with the Ontario Housing Corporation, the office of the Director of Legal Services of the Ministry of Housing.

3. Where the contract is with a college of applied arts and technology, the office of the president of the college.

4. Where the contract is with any other office of the Crown, the chief executive officer of that office. O. Reg. 159/83, s. 1.

2.—(1) A notice to a contractor under section 18 of the Act may be in Form 1.

(2) A notice to a landlord under subsection 19 (1) of the Act may be in Form 2.

(3) A notice to a contractor under subsection 19 (1) of the Act may be in Form 3.

(4) A notice to a lien claimant under subsection 19 (3) of the Act may be in Form 4.

(5) A declaration of last supply under subsection 31 (5) of the Act shall be in Form 5.

(6) A certificate of the substantial performance of a contract under section 32 of the Act shall be in Form 6.

(7) A certificate of completion of a subcontract under subsection 33 (1) of the Act shall be in Form 7.

(8) A claim for lien under section 34 of the Act shall be in Form 8.

(9) An affidavit of verification of a claim for lien under section 34 of the Act may be in Form 9.

(10) A certificate of action under section 36 of the Act shall be in Form 10.

(11) A notice requiring a lien claimant whose lien is sheltered under the statement of claim of some other person to provide further particulars of the claim or of any fact alleged in the claim under paragraph 4 of subsection 36 (4) of the Act may be in Form 11.

(12) A notice under clause 40 (3) (b), (c) or (d) of the Act may be in Form 12.

(13) A notice under clause 40 (3) (a) of the Act may be in Form 13.

(14) A release of lien under section 41 of the Act shall be in Form 14.

(15) A notice of postponement under section 43 of the Act shall be in Form 15.

(16) A judgement under section 58 of the Act directing a reference of the whole action to a master or appointed local master for trial shall be in Form 16.

(17) A notice of trial under section 60 of the Act may be in Form 17.

(18) A notice of settlement meeting under section 60 of the Act may be in Form 18.

(19) A judgement under section 62 of the Act shall be,

(a) in Form 19, where the lien attaches to the premises; or

(b) in Form 20, where the lien does not attach to the premises.

(20) A report under section 62 of the Act shall be,

(a) in Form 21, where the lien attaches to the premises; or

(b) in Form 22, where the lien does not attach to the premises.

(21) A financial guarantee bond under subsection 78 (10) of the Act shall be in Form 23. O. Reg. 159/83, s. 2 (1-21).

(22) Where an affidavit provided for in this Regulation is sworn or affirmed by an illiterate person, the jurat to the affidavit shall be in the form prescribed in the Ontario Court (General Division) rules of court. O. Reg. 159/83, s. 2 (22), *revised.*

3.—(1) Copies of certificates of the substantial performance of a contract shall be published in a construction trade newspaper in the following form and manner:

1. In each issue, all certificates shall appear on a single page or consecutive pages, and shall be arranged alphabetically,

   i. by the county, district or regional municipality in which the premises is situate, except where the premises is situate in The Municipality of Metropolitan Toronto, or

   ii. by the city or borough of The Municipality of Metropolitan Toronto in which the premises is situate, where the premises is situate in The Municipality of Metropolitan Toronto.

2. The contents of each certificate of the substantial performance of a contract published in a construction trade newspaper shall be the same as in the original of the certificate, except that the signature of the payment certifier or other persons certifying substantial performance shall be deleted.

(2) Declarations of the substantial performance of a contract shall be published in the same form and manner as certificates of the substantial performance of a contract. O. Reg. 159/83, s. 3.

Form 1

Construction Lien Act

NOTICE TO CONTRACTOR UNDER SECTION 18 OF THE ACT

TO: ..... , contractor.

FROM: ..... , a joint owner or owner

in common with .....

of the following premises:

.....

(*give address of premises*)

The joint owner or owner in common assumes no responsibility for the improvements to the premises, to be made by you under a contract

between you and .....

(*name of owner*)

Date: ....

(*joint owner or owner in common or agent*)

O. Reg. 159/83, Form 1.

Form 2

Construction Lien Act

NOTICE TO LANDLORD
UNDER SUBSECTION 19 (1) OF THE ACT

TO: .....

the landlord of .....

(*address of premises*)

FROM: ..... , a contractor, who has entered into

a contract with your tenant, ... to supply services or materials to make the following improvement to the above named premises:

(*describe improvement to be made*)

This contract was entered into on .....

(*date*)

(*Use A, B or C as appropriate*)

A. A copy of the contract is enclosed.

B. The contract is oral and the following are the details of the contract:

C. You may inspect a copy of this contract at .....

(*place*)

..... between the hours of ..... and

every .....

(*days of week*)

Date: ....

(*contractor or agent*)

.....

(*address for service of contractor*)

WARNING: Subsection 19 (1) of the *Construction Lien Act* provides as follows:

19.—(1) Where the interest of the owner to which the lien attaches is leasehold, the interest of the landlord shall also be subject to the lien to the same extent as the interest of the owner if the contractor gives the landlord written notice of the improvement to be made, unless the landlord, within fifteen days of receiving the notice from the contractor, gives the contractor written notice that the landlord assumes no responsibility for the improvement to be made. O. Reg. 159/83, Form 2.

Form 3

Construction Lien Act

NOTICE TO CONTRACTOR
UNDER SUBSECTION 19 (1) OF THE ACT

TO: ..... , contractor.

FROM: .....,

the landlord of: .....
(*give address of premises*)

The landlord of the premises assumes no responsiblity for the improvement to be made by you under a contract dated .....

between you and ..... , a tenant.
(*name of tenant*)

Date: ....
(*landlord or agent*)

O. Reg. 159/83, Form 3.

Form 4

Construction Lien Act

NOTICE TO LIEN CLAIMANT
UNDER SUBSECTION 19 (3) OF THE ACT

TO: ..... , lien claimant.

FROM: ..... the landlord of

the following premises: .....
(*give address of premises*)

The landlord intends to (*use A or B, whichever is applicable*)

A. enforce forfeiture against the lease of the premises;

B. terminate the lease of the premises

for non-payment of rent.

In order to protect your lien rights against the interest of the tenant, the amount of the unpaid rent as stated below must be paid to the landlord within ten days of your receiving this notice. If you pay this amount, you may add it to your claim for lien.

Amount of unpaid rent: $.....

Payment of this amount may be made on .....
(*days*)

between the hours of ..... and ....., at .....

.....
(*address for payment*)

Date: ....
(*landlord or agent*)

O. Reg. 159/83, Form 4.

Form 5

Construction Lien Act

DECLARATION OF LAST SUPPLY
UNDER SUBSECTION 31 (5) OF THE ACT

.....
(*name of supplier*)

a supplier of services or materials to an improvement being made to:

.....

(*address of premises*)

declares that:

1. The following services or materials were supplied: .....
(*description of services or materials*)

2. These services or materials were supplied under a contract (*or subcontract*) with .....
(*name of payer*)

dated the ..... day of ....., 19.....

3. The last supply of services or materials made by the supplier to the improvement under the contract (*or subcontract*), was made on .....
(*date of last supply*)

4. No further services or materials will be supplied under the contract (*or subcontract*).

Declared before me at the ..... of)
)
..... in the ..... of)
)
.....)
) .....
on the ..... day of .....) (*supplier*)
)
19.....)
)
.....)
A Commissioner, etc.)

O. Reg. 159/83, Form 5.

Form 6

Construction Lien Act

CERTIFICATE OF SUBSTANTIAL PERFORMANCE
OF THE CONTRACT UNDER SECTION 32 OF THE ACT

.....

(*County/District or Regional Municipality/City or Borough of Municipality of Metropolitan Toronto in which premises are situate*)

.....

(*Street address and city, town, etc., or, if there is no street address, the location of the premises*)

This is to certify that the contract for the following improvement:

.....

(*short description of the improvement*)

to the above premises was substantially performed on .....
(*date substantially performed*)

Date certificate signed: ....
(*payment certifier where there is one*)

.....

.....
(*owner and contractor, where there is no payment certifier*)

Name of owner: .....

Address for service: .....

Name of contractor: .....

Address for service: .....

Name of payment certifier: .....
(*where applicable*)

Address: .....

(*Use A or B whichever is appropriate*)

A. Identification of premises for preservation of liens:

.....
(*where liens attach to premises, reference to lot and plan or instrument registration number*)

B. Office to which claim for lien and affidavit must be given to preserve lien:

.....
(*where liens do not attach to premises*)

O. Reg. 159/83, Form 6.

Form 7

Construction Lien Act

CERTIFICATE OF COMPLETION OF SUBCONTRACT
UNDER SUBSECTION 33 (1) OF THE ACT

This is to certify the completion of a subcontract for the supply of services or materials between .....

.....
(*name of subcontractor*)

and ..... dated the ..... day of ....., 19.....

The subcontract provided for the supply of the following services or materials .....
to the following improvement:

.....
(*short description of the improvement*)

of premises at .....
(*street address, or if there is none, the location of the premises*)

Date of certification: ....
(*payment certifier, where there is one*)

.....

.....
(*owner and contractor*)

Name of owner: .....

Address for service: .....

Name of contractor: .....

Address for service: .....

Name of payment certifier (*where applicable*): .....

Address: .....

(*Use A or B whichever is appropriate*)

A. Identification of premises for preservation of liens:

.....
(*where liens attach to premises, lot and plan number or instrument registration number*)

B. Office to which claim for lien and affidavit must be given to preserve lien:

.....
(*where liens do not attach to premises*)

O. Reg. 159/83, Form 7.

Form 8

Construction Lien Act

CLAIM FOR LIEN UNDER SECTION 34 OF THE ACT

Name of lien claimant: .....

Address for service: .....

Name of owner: .....

Address: .....

Name of person to whom lien claimant supplied services or materials: .....

.....

Address: .....

Time within which services or materials were supplied:

from ..... to .....
(*date supply commenced*) (*date of most recent supply*)

Short description of services or materials that have been supplied:

.....

Contract price or subcontract price: $.....

Amount claimed as owing in respect of services or materials that have been supplied: $.....

(*Use A where the lien attaches to the premises; use B where the lien does not attach to the premises*).

A. The lien claimant (*if claimant is personal representative or assignee this must be stated*) claims a lien against the interest of every person identified above as an owner of the premises described in Schedule A to this claim for lien.

B. The lien claimant (*if claimant is personal representative or assignee this must be stated*) claims a charge against the holdbacks required to be retained under the Act and any additional amount owed by a payer to the contractor or to any subcontractor whose contract or subcontract was in whole or in part performed by the services or materials that have been supplied by the lien claimant in relation to the premises at:

.....
(*address or other identification of the location of the premises*)

Date: ....
(*signature of claimant or agent*)

SCHEDULE A

To the claim for lien of .....

Description of premises:

(*Where the lien attaches to the premises, provide a description of the premises sufficient for registration under the Land Titles Act or the Registry Act, as the case may be*).

O. Reg. 159/83, Form 8.

Form 9

Construction Lien Act

AFFIDAVIT OF VERIFICATION OF LIEN CLAIM UNDER SECTION 34 OF THE ACT

I, ..., make oath and say (*or affirm*) as follows: (*use A, B or C as applicable*)

A.1. I am the lien claimant named in the attached claim for lien;

2. The facts stated in the claim for lien are true.

B.1. I am the agent (*or assignee*) of the lien claimant named in the attached claim for lien;

2. I have informed myself of the facts stated in the claim for lien, and I believe those facts to be true.

C.1. I am a trustee of the workers' trust fund which is named as the lien claimant in the attached claim for lien;

2. I have informed myself of the facts stated in the claim for lien, and I believe those facts to be true.

Sworn (*or affirmed*) before me at the)
)
..... of .....)
)
in the ..... of .....) .....
) (*deponent*)
this ..... day of ..... , 19....)
)
.....)
A Commissioner, etc.)

O. Reg. 159/83, Form 9.

Form 10

Construction Lien Act

CERTIFICATE OF ACTION
UNDER SECTION 36 OF THE ACT

Court File No. .....

ONTARIO COURT (GENERAL DIVISION)

BETWEEN

Plaintiff(s)

(*court seal*) and

Defendant(s)

CERTIFICATE OF ACTION

I certify that an action has been commenced in the Ontario Court (General Division) under the *Construction Lien Act* between the above parties in respect of the premises described in Schedule A to this certificate, and relating to the claim(s) for lien bearing the following registration numbers:

.....

Date: ....
(*registrar or local registrar*)

SCHEDULE A

Description of Premises:

(*The description of the premises must be the same as in the statement of claim, and must be sufficient for registration under the Land Titles Act or Registry Act, as the case may be*).

O. Reg. 159/83, Form 10, *revised*.

Form 11

Construction Lien Act

NOTICE REQUIRING PARTICULARS OF
SHELTERED CLAIM FOR LIEN UNDER
PARAGRAPH 4 OF SUBSECTION 36 (4)
OF THE ACT

Court File No.

.....

ONTARIO COURT (GENERAL DIVISION)

BETWEEN

Plaintiff(s)

(*court seal*) and

Defendant(s)

TO: ....., lien claimant

FROM: ....., a defendant

in the above-named action.

This action has been commenced to realize a claim for lien in respect of an improvement to the following premises:

.....

(*address*)

and you may be entitled to realize your lien in this action.

You are required to furnish the above-named defendant with particulars of your claim and, specifically, the following facts alleged in your claim for lien:

.....

(*set out facts*)

Date: ....

(*defendant, counsel or agent*)

Address for service:

.....

O. Reg. 159/83, Form 11, *revised.*

Form 12

Construction Lien Act

NOTICE OF CROSS-EXAMINATION OF PERSON
VERIFYING CLAIM FOR LIEN
UNDER SECTION 40 OF THE ACT

TO: .....

(*a person named in the claim for lien as having an interest in the premises, the contractor, or the payer of the lien claimant or the solicitor of any of the foregoing*).

This is notice that ....., a person

who has verified a claim for lien by .....

(*name of lien claimant*)

in respect of an improvement to the following premises: .....

.....

(*street address of premises*)

will be cross-examined regarding that claim on ....., ..., at

(*day*) (*date*)

....., at the office of .....

(*time*)

.....

(*name, address and telephone number of examiner*)

You are entitled to be present at the cross-examination either personally or by counsel and to participate in the cross-examination. Only one cross-examination may be held in respect of this claim for lien.

Date: ....

(*name, address and telephone number of person or solicitor requiring cross-examination*)

O. Reg. 159/83, Form 12.

Form 13

Construction Lien Act

NOTICE OF CROSS-EXAMINATION
UNDER SECTION 40 OF THE ACT

TO: ....., a person

who has verified a claim for lien by .....
(*name of lien claimant*)

dated ..... with respect to the following premises:

.....
(*street address of premises*)

YOU ARE REQUIRED TO ATTEND TO BE CROSS-EXAMINED ON OATH respecting the claim for lien on .....,
(*day*)

....., at ....., at the office of .....
(*date*) (*time*) (*name, address and telephone number of examiner*)

..... and to bring with you all documents relating to the claim.

If you fail, without due cause, to attend your lien may be discharged or you may be liable for any legal costs arising from your non-attendance.

Date: ....
(*Name, address and telephone number of person or solicitor requiring the cross-examination*)

O. Reg. 159/83, Form 13.

Form 14

Construction Lien Act

RELEASE OF LIEN
UNDER SECTION 41 OF THE ACT

Name of lien claimant: .....

Address: .....

1. The lien claimant releases the lien claimed in the claim for lien dated ....., in respect of an improvement to the premises owned by ..... and described in Schedule A to this release.

2. (*complete where lien attaches to the premises*)

   The registration number of the claim for lien is .....

Date: .....

....
(*witness*) (*lien claimant*)

NOTE:

Where the lien claimant is not a corporation, the release must be verified by an affidavit of a subscribing witness.

SCHEDULE A

(*Where the lien attaches to the premises, provide a description of the premises sufficent for registration under the Land Titles Act, or the Registry Act, as the case may be*).

(*Where the lien does not attach to the premises, provide the street address, or, where there is none, the location of the premises*).

O. Reg. 159/83, Form 14.

Form 15

Construction Lien Act

NOTICE OF POSTPONEMENT OF LIEN
UNDER SECTION 43 OF THE ACT

Name of lien claimant .....

Address .....

The lien claimant postpones the lien claimed in the claim for lien dated ....., 19....., registered as Instrument No. ..... to Instrument No. ....., in respect of the lands described in Schedule A upon the following terms and conditions: .....

.....

.....

Date: .....

....
(*witness*) (*signature of lien claimant*)

NOTE:

Where the lien claimant is not a corporation, the postponement must be verified by the affidavit of a subscribing witness.

SCHEDULE A

(*Where the lien attaches to the premises, provide a description of the premises sufficient for registration under the Land Titles Act, or the Registry Act, as the case may be*).

(*Where the lien does not attach to the premises, provide the street address, or, where there is none, the location of the premises*).

O. Reg. 159/83, Form 15.

Form 16

Construction Lien Act

JUDGMENT DIRECTING A REFERENCE FOR TRIAL
UNDER SECTION 58 OF THE ACT

Court File No.

.....

ONTARIO COURT (GENERAL DIVISION)

(*name of judge*) (*day and date*)

BETWEEN

.....
Plaintiff(s)

(*court seal*) and

.....
Defendant(s)

JUDGMENT

On motion of the plaintiff made under subsection 58 (1) of the *Construction Lien Act* in the presence of counsel for the plaintiff(s) and the defendant(s), and on reading the pleadings in this action and on hearing what was alleged by counsel for the parties, (*or the parties by their counsel consenting to judgment, or as the case may be*).

1. THIS COURT ORDERS AND ADJUDGES that this action be referred to the master at Toronto (*or other place*) for trial.

2. AND THIS COURT ORDERS AND ADJUDGES that the parties found liable forthwith after confirmation of the report of the master pay to the parties the respective amounts due them.

3. AND THIS COURT ORDERS AND ADJUDGES that the master determine all questions arising in this action and on the reference and all questions arising under the *Construction Lien Act* and that the findings of the master be effective on the confirmation of the report.

4. AND THIS COURT ORDERS AND ADJUDGES that the master determine the question of costs in this action and of the reference, and the costs be taxed and paid as the master shall direct.

Date: ..... Signed by: .....
(*judge*)
(*registrar or local registrar*)

O. Reg. 159/83, Form 16, *revised.*

Form 17

Construction Lien Act

NOTICE OF TRIAL
UNDER SECTION 60 OF THE ACT

Court File No.

.....

ONTARIO COURT (GENERAL DIVISION)

BETWEEN

.....
Plaintiff(s)

and

.....
Defendant(s)

NOTICE

(*Use A or B, whichever is applicable*)

A. The Ontario Court (General Division) has directed that this action shall be tried on ....., ...
(*day*) (*date*)

at ....., at .....
(*time*) (*place*)

B. This action has been set down for trial by the Ontario Court (General Division), at the non-jury sittings commencing on .....,
(*day*)

..... at ....., at .....
(*date*) (*time*) (*place*)

If you do not appear at the trial, proceedings may be taken in your absence and you may be deprived of all benefit of the action and your rights may be disposed of in your absence.

All parties are required to be prepared to proceed with the trial, and to bring with them on the trial day all evidence and witnesses necessary to prove their respective claims or defences. If any person fails to comply with these directions, the costs of the day may be given against that party should it be necessary to adjourn the trial of this action.

This is an action to enforce a construction lien arising from an improvement of the following premises:

.....
(*concise description sufficient to identify premises*)

This notice is served by .....

Date: .....

To: .....

O. Reg. 159/83, Form 17, *revised.*

Form 18

Construction Lien Act

NOTICE OF SETTLEMENT MEETING
UNDER SECTION 60 OF THE ACT

Court File No.

.....

ONTARIO COURT (GENERAL DIVISION)

BETWEEN

.....

Plaintiff(s)

and

.....

Defendant(s)

NOTICE

The Ontario Court (General Division) has directed that the settlement meeting in respect of the above action shall be held on ....., (*day*)

..... at ....., at .....
(*date*) (*time*) (*place*)

(*Use A or B, whichever is applicable*)

A. The Ontario Court (General Division) has also directed that this action shall be tried on ....., (*day*)

....., at ....., at .....
(*date*) (*time*) (*place*)

B. In addition, this action has been set down for trial by the Ontario Court (General Division), at the non-jury sittings commencing

on ....., ...,
(*day*) (*date*)

at ....., at .....
(*time*) (*place*)

Any settlement reached at a settlement meeting is binding upon every person served with notice of the settlement meeting, regardless of whether the person attends the settlement meeting, and orders may be made by the court affecting your rights.

(*Use where applicable*)

If you do not appear at the trial, proceedings may be taken in your absence and you may be deprived of all benefit of the action and your rights may be disposed of in your absence.

All parties are required to be prepared to proceed with the trial, and to bring with them on the trial day all evidence and witnesses necessary to prove their respective claims or defences. If any person fails to comply with these directions, the costs of the day may be given against that party should it be necessary to adjourn the trial of this action.

This is an action to enforce a construction lien arising from an improvement of the following premises:

.....
(*concise description sufficient to identify premises*)

This notice is served by .....

Date: .....

To: .....

O. Reg. 159/83, Form 18, *revised.*

Form 19

Construction Lien Act

JUDGMENT AT TRIAL UNDER SECTION 62 OF
THE ACT WHERE LIEN ATTACHES TO PREMISES

Court File No.

.....

ONTARIO COURT (GENERAL DIVISION)

(*name of judge*) (*day and date*)

BETWEEN

.....

Plaintiff(s)

(*court seal*) and

.....

Defendant(s)

JUDGMENT

THIS ACTION was heard on ....., at ....., in
(*date*) (*place*)

the presence of all parties (*or the solicitors for identified parties,* ..... *appearing in person,*

no one appearing for ....., *or as the case may be*).

ON READING THE PLEADINGS AND HEARINGS THE EVIDENCE and the submissions of the solicitors for the parties (*or* ..... *appearing in person, or as the case may be*).

(*use the appropriate paragraphs*)

1. THIS COURT DECLARES AND ADJUDGES that the persons named in Column 1 of Schedule A to this judgment are respectively entitled to a lien under the *Construction Lien Act*, upon the interest of the owner, ...
(*name of owner*)

   in the premises described in Schedule B of this judgment for the amounts set opposite their respective names in Column 5 of Schedule A, and the primary debtors of those persons respectively are as set out in Column 6 of Schedule A.

2. AND THIS COURT DECLARES AND ADJUDGES that the persons mentioned in Column 1 of Schedule C to this judgment are entitled to some charge or encumbrance other than a lien under this Act on the interest of the owner in the premises for the amounts set opposite their respective names in Column 4 of Schedule C.

3. AND THIS COURT ORDERS AND ADJUDGES that the personal liability of the owner .....

   to the persons named in Column 1 of Schedule E in respect of the holdbacks the owner was required to retain is $....., and writs of execution may be issued forthwith for the amounts set out opposite their respective names in Column 2 of Schedule E.

4. AND THIS COURT ORDERS AND ADJUDGES that upon the defendant .....
(*the owner*)

   paying into court to the credit of this action the amount of $..... on or before the ..... day of .....,

   19....., the liens mentioned in Schedule A are discharged and the registration of those liens and the certificates of action in relation to those liens are vacated and the money paid into court is to be paid in payment of the persons entitled to a lien.

5. AND THIS COURT ORDERS AND ADJUDGES that if the defendant .....
(*owner*)
   makes default in payment of the money into Court that the owner's interest in the premises be sold under the supervision of the master of this court and that the purchase money be paid into court to the credit of this action.

6. AND THIS COURT ORDERS AND ADJUDGES that the purchase money be applied in or towards payment of the claims mentioned in Schedule (s) A (*and C*) as the master directs, with subsequent interest and subsequent costs to be computed and taxed by the master.

7. AND THIS COURT ORDERS AND ADJUDGES that if the purchase money paid into court is insufficient to pay in full the proven claims of the persons mentioned in Column 1 of Schedule A, the primary debtor of each of those persons, as set out in Column 6 of Schedule A, shall pay the amount remaining due to those persons forthwith after the amount has been ascertained by the master.

8. AND THIS COURT ORDERS AND ADJUDGES that the persons named in Column 1 of Schedule F have not proved any lien under the *Construction Lien Act*, and orders and adjudges that the claims for lien registered by them and the certificates of action related to those claims as set out in Column 2 of Schedule F are vacated against the premises described in Schedule B.

9. AND THIS COURT ORDERS AND ADJUDGES that the persons whose names are set out in Column 1 of Schedule D to this judgment, although they have not proven their claims for lien, are entitled to personal judgment for the amounts set opposite their respective names in Column 4 of Schedule D against their respective debtors as set out in Column 5 opposite their names and the respective debtors shall forthwith pay to their respective judgment creditors the amount found due.

10. AND THIS COURT ORDERS AND ADJUDGES, that since the owner's interest in the premises has been sold by ....., a mortgagee, and it has been determined by this court that the liens were entitled to priority over the mortgage under subsection 78 (2) [*or subsection 78 (5) as the case may be*] of the Act, therefore the mortgagee shall pay to the persons named in Schedule E the amount set out opposite each of their respective names on or before the ..... day of ....., 19.....

.....
(*signature of judge*)

Schedule A

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Names of persons entitled to construction lien	Registration numbers of claims for lien and certificates of action	Amount of debt and interest (if any)	Costs	Total	Names of primary debtors

.....
(*signature of judge*)

Schedule B

The premises in respect of which this action is brought is as follows:

.....
(*Set out a description sufficient for registration purposes*)

.....
(*signature of judge*)

Schedule C

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Names of persons entitled to encumbrances other than construction liens	Amount of debt and interest (if any)	Costs	Total

.....
(*signature of judge*)

Schedule D

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Judgment creditors not entitled to liens	Amount of debt and interest (if any)	Costs	Total	Names of Debtors

.....
(*signature of judge*)

Schedule E

COLUMN 1	COLUMN 2
Name of persons entitled to share in holdback	Amount to be paid

.....
(*signature of judge*)

Schedule F

COLUMN 1	COLUMN 2
Names of persons not entitled to lien	Registration numbers of claims for lien and certificates of action

.....
(*signature of judge*)

O. Reg. 159/83, Form 19.

Form 20

Construction Lien Act

JUDGMENT AT TRIAL UNDER SECTION 62 OF THE ACT
WHERE LIEN DOES NOT ATTACH TO PREMISES

Court File No.

.....

ONTARIO COURT (GENERAL DIVISION)

(*name of judge*) (*day and date*)

BETWEEN

..... Plaintiff(s)

and

..... Defendant(s)

JUDGMENT

THIS ACTION was heard on ....., at ..... , in the
(*date*) (*place*)

presence of the solicitors for all parties (*or the solicitors for identified parties,* .....

appearing in person, no one appearing for ....., *or as the case may be*).

ON READING THE PLEADINGS AND HEARING THE EVIDENCE and the submissions of the solicitors for the parties (*or as the case may be*),

(*use the appropriate paragraphs*)

1. THIS COURT DECLARES AND ADJUDGES that the amount for which the defendant-owner .....
(*owner*)

   is liable under section 21 [*or subsection 17 (4)*] of the *Construction Lien Act* is $.....

2. AND THIS COURT DECLARES AND ADJUDGES that the persons named in Column 1 of Schedule A to this judgment are respectively entitled to a lien under the *Construction Lien Act* which lien is a charge under section 21 upon the amount for which the defendant-owner is liable; for the amounts set opposite their respective names in Column 4 and the primary debtors of those persons are set out in Column 5 of Schedule A.

3. AND THIS COURT ORDERS AND ADJUDGES that upon the defendant-owner .....
(*owner*)

paying into court to the credit of this action the amount of $..... for which the owner is liable on or before the .....,
(*day*)

..... that the liens mentioned in Schedule A are discharged, that the money paid into
(*date*)
court is to be paid in payment of the persons entitled to a lien.

4. AND THIS COURT ORDERS AND ADJUDGES that if the money paid into court is insufficient to pay in full the proven claims of the persons mentioned in Column 1 of Schedule A, the primary debtor of each of those persons as set out in Column 5 of Schedule A shall pay the amount remaining due to those persons forthwith after this amount has been ascertained by the master.

5. AND THIS COURT DECLARES AND ADJUDGES that the following persons have not proved any lien under the *Construction Lien Act*:

.....
(*names of persons*)

and are not entitled to a personal judgment against any of the parties to this action.

6. AND THIS COURT ADJUDGES that the persons whose names are set out in Column 1 of Schedule B to this judgment, although they have not proven their claims for lien are entitled to personal judgment for the amounts set opposite their respective name in Column 4 of Schedule B against their respective debtors as set out in Column 5 opposite their names and the respective debtors shall forthwith pay to their respective judgment creditors the amount found due.

.....
(*signature of judge*)

Schedule A

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Names of persons entitled to construction lien	Amount of debt and interest (if any)	Costs	Total	Names of primary debtors

.....
(*signature of judge*)

Schedule B

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Judgment creditors not entitled to liens	Amount of debt and interest (if any)	Costs	Total	Names of Debtors

.....
(*signature of judge*)

O. Reg. 159/83, Form 20, *revised*.

Form 21

Construction Lien Act

REPORT UNDER SECTION 62 OF THE ACT
WHERE LIEN ATTACHES TO PREMISES

Court File No.

.....

ONTARIO COURT (GENERAL DIVISION)

(*name of master*) (*day and date*)

BETWEEN

..... Plaintiff(s)

(*court seal*) and

..... Defendant(s)

REPORT

In accordance with a judgment of reference dated .....,

trial of this action was heard on ....., at ..... in the presence
(*date*) (*place*)

of all parties (*or the solicitors for identified parties,* ..... *appearing in*

person, no one appearing for ....., *or as the case may be*).

ON READING THE PLEADINGS AND HEARING THE EVIDENCE and the submissions of the solicitors for the parties (*or as the case may be*).

(*use the appropriate paragraphs*)

1. I FIND AND DECLARE THAT the persons named in Column 1 of Schedule A to this report are respectively entitled to a lien under the *Construction Lien Act*, upon the interest of the owner, ... , in the premises
(*name of owner*)
described in Schedule B of this report for the amounts set opposite their respective names in Column 5 of Schedule A, and the primary debtors of those persons respectively are as set out in Column 6 of Schedule A.

2. I FIND AND DECLARE THAT the persons mentioned in Column 1 of Schedule C to this report are entitled to some charge or encumbrance other than a lien under this Act on the interest of the owner in the premises for the amounts set opposite their respective names in Column 4 of Schedule C.

3. AND I FIND, DECLARE AND DIRECT that the personal liability of the owner .....

to the persons named in Column 1 of Schedule E in respect of the holdbacks the owner was required to retain is $..... and writs of execution may be issued forthwith after confirmation of this order for the amounts set opposite their respective names in Column 2 of Schedule E.

4. AND I DIRECT that upon the defendant .....
(*the owner*)

paying into court to the credit of this action the amount of $..... on or before the ..... day of .....,

19....., the liens mentioned in Schedule A are discharged and the registration of those liens and the certificates of action in relation to those liens are vacated and the money paid into court is to be paid in payment of the persons entitled to a lien.

5. AND I DIRECT that if the defendant .....
(*owner*)
makes default in payment of the money into court that the owner's interest in the premises be sold under the supervision of the master of this court and that the purchase money be paid into court to the credit of this action.

6. AND I DIRECT that the purchase money be applied in or towards payment of the claims mentioned in Schedule(s) A (*and C*) as the master directs, with subsequent interest and subsequent costs to be computed and taxed by the master.

7. AND I DIRECT that if the purchase money paid into court is insufficient to pay in full the proven claims of the persons mentioned in Column 1 of Schedule A, the primary debtor of each of those persons, as set out in Column 6 of Schedule A, shall pay the amount remaining due to those persons forthwith after the amount has been ascertained by the master.

8. AND I FIND AND DECLARE THAT the persons named in Column 1 of Schedule F have not proved any lien under the *Construction Lien Act*, and I direct that the claims for lien registered by them and the certificates of action related to those claims as set out in Column 2 of Schedule F be vacated against the premises described in Schedule B.

9. AND I FIND AND DECLARE THAT the persons whose names are set out in Column 1 of Schedule D to this report, although they have not proven their claims for lien, are entitled to personal judgment for the amounts set opposite their respective names in Column 4 of Schedule D against their respective debtors as set out in Column 5 opposite their names and the respective debtors shall forthwith after confirmation of this report pay to their respective judgment creditors the amount found due.

10. AND I DIRECT that since the owner's interest in the premises has been sold by .....

....., a mortgagee, and it has been determined by this court that the lien claimants were entitled to priority over the mortgagee under subsection 78 (2) [*or subsection 78 (5) as the case may be*] of the Act, therefore the mortgagee shall pay to the per-

sons named in Schedule E the amount set out opposite each of their respective names on or before the ..... day of ....., 19.....

.....
(*signature of master*)

Schedule A

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Names of persons entitled to construction lien	Registration numbers of claims for lien and certificates of action	Amount of debt and interest (if any)	Costs	Total	Names of primary debtors

.....
(*signature of master*)

Schedule B

The premises in respect of which this action is brought is as follows:

.....
(*Set out a description sufficient for registration purposes*)

.....
(*signature of master*)

Schedule C

Column 1	Column 2	Column 3	Column 4
Names of persons entitled to encumbrances other than construction liens	Amount of debt and interest (if any)	Costs	Total

.....
(*signature of master*)

Schedule D

Column 1	Column 2	Column 3	Column 4	Column 5
Judgment creditors not entitled to liens	Amount of debt and interest (if any)	Costs	Total	Names of Debtors

.....
(*signature of master*)

Schedule E

Column 1	Column 2
Name of persons entitled to share in holdback	Amount to be paid

.....
(*signature of master*)

Schedule F

COLUMN 1	COLUMN 2
Names of persons not entitled to lien	Registration numbers of claims for lien and certificates of action

.....
(*signature of master*)

O. Reg. 159/83, Form 21, *revised.*

Form 22

Construction Lien Act

REPORT UNDER SECTION 62 OF THE ACT
WHERE LIEN DOES NOT ATTACH TO PREMISES

Court File No.

.....

ONTARIO COURT (GENERAL DIVISION)

(*master*) (day and date)

BETWEEN

..... Plaintiff(s)

and

..... Defendant(s)

REPORT

In accordance with a judgment of reference dated .....

trial of this action was heard on ....., at ....., in the presence
(*date*) (*place*)

of the solicitors for all parties (*or the solicitors for identified parties,* ..... *appearing in person, no one appearing for* ....., *or as the case may be*).

ON READING THE PLEADINGS AND HEARING THE EVIDENCE and the submissions of the solicitors for the parties (*or as the case may be*).

(*use the appropriate paragraphs*)

1. I FIND AND DECLARE that the amount for which the defendant-owner .....
(*owner*)

   is liable under section 21 [*or subsection 17 (4)*] of the *Construction Lien Act* is $.....

2. I FIND AND DECLARE that the persons named in Column 1 of Schedule A to this report are respectively entitled to a lien under the *Construction Lien Act* which lien is a charge under section 21 of the Act upon the amount for which the defendant-owner is liable; for the amounts set opposite their respective names in Column 4 and the primary debtors of those persons are set out in Column 5 of Schedule A.

3. AND I DIRECT that upon the defendant-owner .....
(*owner*)

   paying into court to the credit of this action the amount of $..... for which the owner is liable on or before the .....,
(*day*)

   ..... the liens mentioned in Schedule A are discharged, and that the money paid into court is to be paid in payment of the
(*date*)
   persons entitled to a lien.

4. AND I DIRECT that if the money paid into court is insufficient to pay in full the proven claims of the persons mentioned in Column 1 of

Schedule A, the primary debtor of each of those persons as set out in Column 5 of Schedule A shall pay the amount remaining due to those persons forthwith after this amount has been ascertained by the master.

5. AND I FIND AND DECLARE that the following persons have not proved any lien under the *Construction Lien Act*:

.....

(*names of persons*)

and are not entitled to a personal judgment against any of the parties to this action.

6. AND I FIND AND DECLARE that the persons whose names are set out in Column 1 of Schedule B to this report, although they have not proved their claims for lien are entitled to personal judgment for the amounts set opposite their respective names in Column 5 after confirmation of this report and the respective debtors shall forthwith after confirmation of this report pay to their respective judgment creditors the amount found due.

.....

(*master*)

Schedule A

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Names of persons entitled to construction lien	Amount of debt and interest (if any)	Costs	Total	Names of primary debtors

.....

(*signature of master*)

Schedule B

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
Judgment creditors not entitled to liens	Amount of debt and interest (if any)	Costs	Total	Names of Debtors

.....

(*signature of master*)

O. Reg. 159/83, Form 22, *revised.*

Form 23

Construction Lien Act

FINANCIAL GUARANTEE BOND UNDER SUBSECTION 78 (10) OF THE ACT

The surety of this bond is ..... , a guarantee company to which the *Guarantee Companies Securities Act* applies.

The principal of this bond is .....,

a mortgagee of the interest of the owner .....

in the premises described in Schedule A to this bond.

The obligees of this bond are all persons having liens whose liens are entitled to priority over the interest of the principal under subsection 78 (2) or (5) of the Act.

WHEREAS it is the intention of the principal to sell the interest of the owner under a power of sale.

THEREFORE, subject to the conditions contained in this bond, the surety and the principal bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally to the obligees as follows:

1. The principal shall, on or before the date set out in the judgment or report for payment, pay to each obligee who has proved a lien the amount determined by the court to be owing to that obligee under subsection 78 (2) or (5) of the Act by the principal as mortgagee, unless in the meantime an appeal has been taken from the judgment or report in which case payment is not required until the final disposition of all appeals.

2. The surety, in default of payment by the principal shall pay to each obligee the amount owing to him by the principal, but the surety is not liable to pay more than a total maximum amount of $..... (*an amount equal to 20 per cent of the amount stated to be the contract price in the affidavit attached as Schedule B to this bond*).

This bond is subject to the following conditions:

1. An obligee shall not make a claim against the surety unless the principal is in default of the principal's obligations under this bond.

2. An obligee shall give the surety thirty days written notice of the claim prior to commencing an action against the surety.

3. The surety is released from its obligation to an obligee unless the obligee has given written notice of the claim to the surety within one year after the default by the principal.

4. The total amount of this bond is reduced by and to the extent of any payment made under the bond.

5. The surety is entitled to an assignment of the rights of an obligee against the principal to the extent of the payment made by the surety.

Signed and sealed by the principal and the surety on the ..... day of ....., 19..... and registration of this bond on the title to the premises constitutes delivery of this bond to each obligee.

SIGNED AND SEALED
in the presence of: ..... (*seal*)
(*principal*)

..... (*seal*)
(*surety*)

NOTE:

Where the principal is not a corporation, the principal's signature must be verified by an affidavit of a subscribing witness.

Schedule A

FINANCIAL GUARANTEE BOND

(*provide a description of the premises sufficient for registration under the Land Titles Act or the Registry Act, as the case may be*)

Schedule B

FINANCIAL GUARANTEE BOND

AFFIDAVIT OF GOOD FAITH BY MORTGAGEE

I, ..., make oath and say (*or affirm*) as follows:

1. I am a mortgagee of the interest of .....
(*name of owner*)
described in Schedule A to the attached bond.

2. Under the terms of the mortgage, or under the *Mortgages Act*, I am entitled to exercise a power of sale with respect to that interest.

3. It is my intention to exercise that power of sale, even though there are claims for lien registered against the interest of the owner under the *Construction Lien Act* that may have priority to the mortgage under the Act.

4. I have inquired of the contractor and the owner with respect to the contract price of the contract to which that improvement relates, and to the best of my information and belief the amount of the contract price (*including the price of all services and materials supplied under all amendments to that contract*) is .....

5. The attached bond has been obtained by me in good faith, without any intention of depriving any lien claimant of their rights under the *Construction Lien Act.*

Sworn (*or affirmed*) before me at the)
)
..... of .....)
)
in the ..... of .....) .....
) (*deponent*)
this ..... day of ....., 19....)
)
.....)
A Commissioner, etc.)

O. Reg. 159/83, Form 23.

Consumer Protection Act
Loi sur la protection du consommateur

REGULATION 176

GENERAL

INTERPRETATION

1.—(1) In this Regulation "branch office" means a place at which the public is invited to deal in the conduct of the business of an itinerant seller.

(2) For the purposes of subsection 19 (1) of the Act, "warranty or guarantee" means a warranty or guarantee that is enforceable by a buyer against a seller.

(3) For the purposes of,

(a) subclause 24 (a) (i) of the Act, "cash" includes the sum remaining unpaid under a previous extension of credit, in an amount determined under section 23 of this Regulation, that the borrower and lender agree is to be consolidated with the extension of credit in respect of which the statement is given; and

(b) subclause 24 (a) (ii) of the Act, "cash price" includes the sum remaining unpaid under a previous extension of credit, in an amount determined under section 23 of this Regulation, that the buyer and seller agree is to be consolidated with the extension of credit in respect of which the statement is given. R.R.O. 1980, Reg. 181, s. 1.

EXEMPTIONS

2.—(1) The Act does not apply to a person who,

(a) borrows in the course of carrying on business or who lends to a person who borrows in the course of carrying on business;

(b) buys goods or services for purposes of resale in the ordinary course of trade or for use in the further production of goods or services; or

(c) who sells goods or services to a person referred to in clause (b).

(2) Section 19 of the Act does not apply to a buyer or seller under an executory contract under an agreement for variable credit for which the borrower incurs no cost of borrowing. R.R.O. 1980, Reg. 181, s. 2 (1, 2).

(3) Subsections 4 (1) and (3) of the Act do not apply to,

(a) a motor vehicle dealer registered under the *Motor Vehicle Dealers Act*;

(b) an insurer, insurance agent or an insurance broker licensed under the *Insurance Act*; or

(c) a funeral director, the operator of a funeral establishment or the operator of a transfer service licensed under the *Funeral Directors and Establishments Act*. R.R.O. 1980, Reg. 181, s. 2 (3); O. Reg. 366/90, s. 1 (1).

(4) Section 21 of the Act does not apply to the sale of,

(a) a motor vehicle by a seller who is registered under the *Motor Vehicle Dealers Act*;

(b) funeral services, funeral supplies or transfer services by a funeral director or operator of a funeral establishment licensed under the *Funeral Directors and Establishments Act*; or

(c) transfer services or funeral supplies by the operator of a transfer service licensed under the *Funeral Directors and Establishments Act*. O. Reg. 366/90, s. 1 (2).

(5) Section 22 of the Act does not apply to a seller who acquires title to a trade-in under an executory contract. R.R.O. 1980, Reg. 181, s. 2 (5).

(6) Section 24 of the Act does not apply to a credit union as defined in the *Credit Unions and Caisses Populaires Act*. O. Reg. 102/81, s. 1.

PART 1
REGISTRATION

3.—(1) An application for registration as an itinerant seller or renewal thereof shall be in a form provided by the Minister.

(2) A notice by an itinerant seller under clause 12 (1) (a) or (b) of the Act shall be in a form provided by the Minister. O. Reg. 614/83, s. 1.

FEES

4. A fee of $200 is payable to the Registrar upon application for registration and for the renewal of registration as an itinerant seller. O. Reg. 269/86, s. 1.

5. An itinerant seller shall obtain a separate registration, on application for each trade name under which the itinerant seller carries on business as an itinerant seller. R.R.O. 1980, Reg. 181, s. 5.

TERMS AND CONDITIONS OF REGISTRATION

6.—(1) Every registration expires on the date shown on the certificate of registration unless an application for renewal of registration in a form provided by the Minister, together with the appropriate fee prescribed in section 4, is filed with the Registrar prior to the date of expiry. O. Reg. 614/83, s. 3.

(2) Every registration is conditional for a sixty-day period following registration pending verification of the registrant's application.

(3) Every applicant for registration shall state in the application an address for service in Ontario.

(4) Every person registered as an itinerant seller shall maintain a permanent place of business in Ontario.

(5) Where the registration of an itinerant seller is revoked, suspended or cancelled or, where the itinerant seller has voluntarily gone out of business, the itinerant seller shall immediately return the certificate of registration to the Registrar by registered mail.

(6) Where a notice of intention to cancel a bond has been served on the Registrar under section 10, and the bond has been cancelled on the date stated in the notice, the registration of the itinerant seller

shall no longer be valid unless prior to that date a replacement bond has been received by the Registrar.

(7) The Registrar may require further information or material to be submitted by any applicant or any registrant within a specified time limit and may require verification by affidavit or otherwise of any information or material then or previously submitted. R.R.O. 1980, Reg. 181, s. 6 (2-7).

7. Where an itinerant seller is a corporation it shall, within five days after the event, notify the Registrar in a form provided by the Minister where there is a change in a director of the corporation or where there is a change in its controlling interest. O. Reg. 614/83, s. 4.

BONDS

8.—(1) Every application for registration shall be accompanied by the prescribed fee and a bond in such amount and form as is prescribed.

(2) The bond shall be,

(a) the bond of a guarantee company approved under the *Guarantee Companies Securities Act*;

(b) a personal bond accompanied by collateral security; or

(c) the bond of a guarantor, other than a guarantee company, accompanied by collateral security,

and shall be in the principal amount of $5,000.

(3) The classes of negotiable security that may be accepted as collateral security for a bond are,

(a) bonds issued or guaranteed by Canada; or

(b) bonds issued or guaranteed by any province of Canada.

(4) The market value of the collateral security referred to in subsection (3) shall be posted with the Treasurer of Ontario and maintained at an amount not less than $5,000.

(5) The bond referred to in subsection (1) shall be in Form 1, Form 2 or Form 3, as the case may be. R.R.O. 1980, Reg. 181, s. 8.

TRUST FUNDS

9.—(1) All money received by a seller under an executory contract to which Part II of the Act applies and that is subject to rescission shall be retained by the seller in trust for the buyer until the contract is rescinded under section 21 of the Act or until the period for rescission has expired, whichever is the later.

(2) Where money is paid, whether by way of deposit or otherwise, on account of the proposed purchase of goods or services but no binding contract is entered into in respect of the goods and no delivery of the goods or any part thereof has been made to the buyer or no performance of the services has been made, the seller shall retain the money in trust for the buyer until,

(a) the goods are delivered or the services performed;

(b) the buyer requests the refund in full of the money paid; or

(c) subject to subsection (1), a binding contract is entered into.

(3) Every seller shall maintain a ledger account in which shall be entered full details of all trust money so received and disbursements therefrom and shall keep all trust money retained by the seller separate and apart from the seller's own money. R.R.O. 1980, Reg. 181, s. 9 (1-3).

(4) An entry in a ledger account referred to in subsection (3) shall be retained for a period of six years from the date of the entry. O. Reg. 702/81, s. 1.

FORFEITURE OF BONDS

10. A bond may be cancelled by any person bound thereunder by giving to the Registrar and the itinerant seller named in the bond, at least two months notice in writing of intention to cancel and, subject to section 11, the bond shall be deemed to be cancelled on the date stated in the notice, which date shall be not less than two months after the receipt of the notice by the Registrar. R.R.O. 1980, Reg. 181, s. 10.

11. For the purpose of every act or omission occurring,

(a) during the period of registration; or

(b) during the period prior to cancellation of the bond under section 10 where there has been no termination of registration,

every bond shall continue in force and the collateral security, if any, shall remain on deposit for a period of two years following the termination of the registration or the cancellation of the bond, as the case may be. R.R.O. 1980, Reg. 181, s. 11.

12. Where a bond has been cancelled or the registration has been terminated, and the bond has not been forfeited, the Treasurer of Ontario may, two years following the termination of the registration to which the bond related or two years after the cancellation of the bond, deliver the collateral security to the person who deposited such security. R.R.O. 1980, Reg. 181, s. 12.

13. The Registrar may declare any bond mentioned in section 8 forfeited,

(a) where a registered itinerant seller, including any member of a partnership, in respect of whose conduct the bond has been conditioned has been convicted of,

(i) an offence under the Act, or

(ii) an offence involving fraud or theft or conspiracy to commit an offence involving fraud or theft under the *Criminal Code* (Canada), and the conviction has become final;

(b) where a proceeding by or in respect of a registered itinerant seller, including any member of a partnership, in respect of whose conduct the bond has been conditioned, has been taken under the *Bankruptcy Act* (Canada), either by way of assignment, or by petition, or where a proceeding has been taken by way of winding-up, and in the case of a petition a receiving order under the *Bankruptcy Act* (Canada), or a winding-up order has been made, and the order has become final;

(c) where a judgment based on a finding of fraud has been given against a registered itinerant seller, including any member of a partnership, in respect of whose conduct the bond has been conditioned and the judgment has become final; or

(d) where judgment has been given against a registered itinerant seller, including any member of a partnership, in respect of whose conduct the bond has been conditioned, on any claim arising out of a sale of goods or services made in the course of business as an itinerant seller, and the judgment has remained unsatisfied for a period of ninety days,

and thereupon the amount thereof becomes due and owing by the person bound thereby as a debt due the Crown in right of Ontario. R.R.O. 1980, Reg. 181, s. 13.

14. Where a bond secured by the deposit of collateral security is forfeited under section 13, the Treasurer of Ontario may sell the collateral security at the current market price. R.R.O. 1980, Reg, 181, s. 14.

15. Where the Crown in right of Ontario becomes a creditor of a person in respect of a debt to the Crown arising from the provisions of section 13, the Registrar may take such steps as the Registrar sees fit under the *Bankruptcy Act* (Canada), the *Courts of Justice Act*, the *Business Corporations Act* or the *Winding-up Act* (Canada) for the appointment of an interim receiver, custodian, trustee, receiver or liquidator, as the case maybe. R.R.O. 1980, Reg. 181, s. 15.

16.—(1) The Treasurer of Ontario may in his or her discretion,

(a) assign any bond forfeited under section 13 and transfer the collateral security, if any;

(b) pay over any money recovered under the bond;

(c) pay over any money realized from the sale of the collateral security under section 14,

to any person who,

(d) is a judgment creditor of any itinerant seller, including any member of a partnership, in respect of whose conduct the bond has been conditioned where the judgment was based on a claim arising out of a sale of goods or services;

(e) in respect of a claim for less than $100 against any itinerant seller, including any member of a partnership, in respect of whose conduct the bond has been conditioned, arising out of a sale of goods or services, satisfies the Registrar as to the validity of such claim; or

(f) has proven a claim in bankruptcy against any itinerant seller, including any member of a partnership in respect of whose conduct the bond has been conditioned, in respect of any claim arising out of a sale of goods or services,

if the claim or transaction occurred during the period referred to in clause 11 (a) or (b).

(2) The Treasurer of Ontario may, where he or she considers it advisable, without any order, pay the whole or any part of the proceeds referred to in clause (1) (a) or (c) to the Accountant of the Ontario Court in trust for such persons as are or may become entitled to share in the proceeds of the bond under subsection (1). R.R.O. 1980, Reg. 181, s. 16.

17. Where a bond has been forfeited and the Treasurer of Ontario has not received notice in writing of any claim against the proceeds of the bond or such part as remains in the Treasurer's hands within two years of the forfeiture, the Treasurer may pay the proceeds of the bond or the collateral security, or any part remaining, to any person who made a payment under the bond or who deposited the collateral security, after first deducting the amount of any expenses that have been incurred in connection with any investigation or otherwise relating to the itinerant seller, including any member of a partnership, in respect of whose conduct the bond was conditioned. R.R.O. 1980, Reg. 181, s. 17.

PART II
DISCLOSURE

18. In this Part,

"annual percentage rate" means for the purposes of sections 19 and 20 a percentage that is 365 times greater than a daily percentage rate that, when multiplied by the balance of the principal sum outstanding at the end of each day during the term of the contract will produce a sum that equals the cost of borrowing, or sums, the total of which equal the cost of borrowing;

"approximately" means an interval or amount that does not vary from the average interval or amount by more than 10 per cent;

"median amount" means an amount that is half way between one amount and another amount;

"payment period" means the number of days that elapse between the dates upon which a payment is required in an agreement;

"principal sum" means the sum stated in clause 24 (a) or (c) of the Act, which shall be deemed to be unpaid or outstanding for at least one day, and the unpaid balances thereof from time to time outstanding but does not include any amount or amounts that are components of the cost of borrowing;

"regular payment contract" means a contract in which payments are required at approximately equal intervals and in approximately equal amounts during the term of the contract. R.R.O. 1980, Reg. 181, s. 18.

19. The percentage required by clause 24 (c) of the Act shall be calculated, expressed and applied with respect to an extension of credit in the following manner:

1. Subject to paragraphs 4 and 5 and to section 20, the percentage that a lender shall disclose with respect to an extension of credit shall be the annual percentage rate applicable to the contract.

2. The annual percentage rate shall be deemed to have been charged not in advance on the principal sum from time to time outstanding, so long as the payments required to be made by the borrower are made as they become due and such payments are applied first to the reduction of the accrued cost of borrowing.

3. For the purposes of paragraph 2, the cost of borrowing shall be deemed to be charged daily and summed until the next succeeding payment becomes due and the accrued cost of borrowing is that amount which is so charged and summed at any given time.

4. Where a contract provides for approximate monthly payment periods, the rate that shall be deemed to have been applied monthly under paragraphs 1, 2 and 3 shall be one-twelfth of the annual percentage rate.

5. Where a contract provides for payments at periods other than approximately monthly, the rate that shall be deemed to have been applied under paragraphs 1, 2 and 3 with respect to each payment shall be the same fraction of the annual percentage rate that the payment period is of one year. R.R.O. 1980, Reg. 181, s. 19.

20.—(1) In this section, "amount of the credit" means the sum stated in clause 24 (a) or (c) of the Act.

(2) The annual percentage rate required to be disclosed under section 19 may be a rate that differs by not more than one per cent from the annual percentage rate that the cost of borrowing bears to the amount of the credit, except that a greater arithmetic difference may be permitted in a regular payment contract, in which case the annual percentage rate required to be disclosed may be the actual annual percentage rate that the cost of borrowing bears to an amount that differs by not more than $5 from the amount of the credit.

(3) In addition to the tolerance permitted by subsection (2), where the due date of the first instalment in an extension of credit having approximately monthly payments and a term of six months or more is not less than fifteen or more than forty-five days after the credit is advanced, it may be deemed by the lender, for the purposes of the statement required by section 24 of the Act, that the credit was advanced on a date not more than thirty-one days immediately prior to the due date of the first instalment. R.R.O. 1980, Reg. 181, s. 20.

21.—(1) Subject to subsections (2), (3) and (4), the annual percentage or scale of annual percentages that a lender shall disclose pursuant to clause 25 (2) (a) and to section 26 of the Act shall be the rate or scale of annual percentage rates that, when applied in the manner prescribed in subsection (2) or (3) of this section to the unpaid balance at the end of the preceding month or period, will yield a sum that equals the cost of borrowing, or sums, the total of which equals the cost of borrowing.

(2) Where a contract for variable credit provides for monthly payments, the percentage rate that shall be applied monthly under subsection (1) shall be one-twelfth of the annual percentage rate.

(3) Where a contract for variable credit provides for payments at periods other than monthly, the percentage rate that shall be applied under subsection (1) with respect to each payment period shall be the same fraction of the annual percentage rate that the payment period is of one year.

(4) For the purposes of subsection (1), the cost of borrowing may be computed within a range,

(a) not in excess of $10 on the median amount in a selected range of outstanding balances, where the largest amount in the range is not more than $1,000; or

(b) not in excess of $20 on the median amount in a selected range of outstanding balances where the smallest amount in the range is more than $1,000,

so long as the cost of borrowing is applied to all outstanding balances within the range. R.R.O. 1980, Reg. 181, s. 21.

22.—(1) In this section,

"denominator" means the sum of the balances of the obligation at the beginning of the contract and at the end of each period in accordance with the schedule of payments required as originally required as originally scheduled;

"lender" includes any assignee of the lender;

"numerator" means the sum of the balances at the beginning of the contract and the balances unpaid at the end of each period up to the date of full payment of the total obligation;

"obligation" means the total amount payable when the contract was entered into;

"period" means an interval of time not in excess of thirty-one days;

"unit" means the amount produced by dividing the obligation by the number of months in the contract.

(2) Subject to subsections (4), (5), (6), (7), (8), (9) and (10), where an amount, due under an extension of credit wherein the cost of borrowing is precomputed, is paid in advance of the due date, the lender may retain a proportion of the cost of borrowing calculated, when the amount of the obligation is fully paid, by dividing the numerator by the denominator, so long as the period in the numerator is equal to the period in the denominator, to produce a fraction, which fraction shall be multiplied by the cost of borrowing and the resultant sum is the amount to be retained by the lender.

(3) Where the original term of the transaction is varied by one or more extensions of payment, the extended payment or payments shall be deemed to have been made as originally scheduled.

(4) Subject to subsections (5) and (6), the lender shall allow the borrower a rebate of the cost of borrowing less the retention allowed the lender under subsection (2).

(5) Except where the prepayment is made under an arrangement for refinancing or for the extension of additional credit, the lender is entitled, in addition to the amount allowed under subsection (2), to retain an amount equal to not more than $20 or one-half of the rebate as computed in subsection (4), whichever is the lesser, and the borrower is entitled to a rebate of the remainder of the cost of borrowing.

(6) Where the rebate required to be given under subsection (4) is less than $2, the borrower is not entitled to the rebate.

(7) Where a payment is received after it had become due, the lender may deem that the payment had been received on the instalment due date.

(8) Where a payment is received before it is due, the lender shall deem that the payment has been received not later than the end of the period in which the payment has been received.

(9) Where a regular payment contract requires payments monthly or more frequently or less frequently than monthly and the obligation is paid in full before the term of the contract has expired, the obligation shall be deemed by the lender to have been substantially prepaid if the actual balance due, exclusive of default charges, at the end of the period immediately preceding the date of the payment in full plus the greater of one unit or 15 per cent of the obligation is less than the balance at the end of the preceding period as such balance was originally scheduled.

(10) Despite subsection (8), where the obligation has not been substantially prepaid as described in subsection (9), the lender may deem that the balances in the numerator are identical to the balances in the denominator up to the end of the period preceding the payment in full or up to the end of the period in which the payment in full is made, whichever period date is nearest to the actual date of the payment in full. R.R.O. 1980, Reg. 181, s. 22.

23.—(1) For the purposes of section 28 of the Act, "paid in full" includes the consolidation in an agreement to extend credit of a sum owing under a previous agreement to extend credit.

(2) Where a borrower or a buyer, as the case may be, pays in full under the circumstances referred to in subsection (1), the amount allowed to the borrower or buyer shall be determined under section 22 and shall include the unearned portion of any insurance premium required to be paid by the borrower or the buyer under the original agreement. R.R.O. 1980, Reg. 181, s. 23.

24.—(1) Where a lender represents, or causes to be represented, in print, the lender's charge for credit, the lender shall provide an example of the calculation of the charge and the rate represented thereby.

(2) The representations required to be made by a lender under section 29 of the Act,

(a) shall, in the case of a lender who advertises in a place other than the lender's business premises, be printed on the advertisement;

(b) may, in the case of a lender who advertises in the lender's business premises, be omitted from the advertisement, so long as a statement is printed on the advertisement that the charge for credit and the calculation therefor and the other terms of the credit transaction may be obtained from a source on the lender's business premises; and

(c) shall, where the advertisement is printed on a page in a catalogue, refer to a page or pages in the catalogue where the charge for credit and the calculation therefor and the other terms of the credit transaction may be obtained.

(3) Where a lender represents, or causes to be represented, orally the lender's charge for credit by radio or television broadcast, or otherwise, the lender shall provide an example of the calculation of the charge and the rate represented thereby. R.R.O. 1980, Reg. 181, s. 24.

25. A request for voluntary cancellation of registration under subsection 7 (7) of the Act shall be in a form provided by the Minister. O. Reg. 614/83, s. 5.

Form 1

Consumer Protection Act

BOND OF A GUARANTEE COMPANY

APPROVED UNDER THE
GUARANTEE COMPANIES SECURITIES ACT

Bond No. ..... Amount $.....

WE ..... as Principal and ..... as Surety are held and firmly bound unto Her Majesty in right of Ontario in the sum of $....., to be paid unto Her Majesty, her successors and assigns, for which payment well and truly to be made, I, ...
(Name of Principal)

bind myself, my heirs, executors, administrators and assigns, and we, ... bind
(Name of Surety)

ourselves, our successors and assigns jointly and firmly by these presents.

The total liability imposed upon the Principal or Surety by this Bond and any and all renewals thereof shall be concurrent and not cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with our Seals and dated this ..... day of ....., 19.....

THE CONDITION of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the *Consumer Protection Act*, then the obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the Act.

SIGNED, SEALED AND DELIVERED, in the presence of

Witness ..... Principal .....
(As to Signature of Principal) (Signature of Principal)

....

Surety: .....

R.R.O. 1980, Reg. 181, Form 5.

Form 2

Consumer Protection Act

BOND OF GUARANTOR OTHER THAN GUARANTEE COMPANY

Bond No. ..... Amount $.....

WE ..... as Principal and .....

as Guarantor are held and firmly bound unto Her Majesty in right of Ontario in the sum of $....., to be paid unto Her Majesty, her successors and assigns, for which payment well and truly to be made, I, ...
(Name of Principal)

bind myself, my heirs, executors, administrators, and I, the said ..... guarantee the payment of the
(Name of Guarantor)

sum of ..... Dollars ($.....) to the Obligee and I, ... bind myself, my heirs,
(Name of Guarantor)

executors, administrators and assigns, jointly and firmly by these presents and by depositing with Her Majesty ..... as collateral security to this Bond.

The total liability imposed upon the Principal or Guarantor by this Bond and any and all renewals thereof shall be concurrent and not cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with our seal and dated this ..... day of

....., 19.....

THE CONDITION of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the *Consumer Protection Act*, then the said obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the said Act.

SIGNED, SEALED AND DELIVERED)
)
in the presence of) Principal .....
)
.....) Guarantor .....
)
.....)

SPECIAL NOTE:

The Guarantor should read the instructions re "Forfeiture of Bond" and "Term of Bond" shown on the reverse side before signing this form, and note in particular that the bonds posted as security will remain on deposit for two years after the lapse or cancellation of the registration under the *Consumer Protection Act*, or the forfeiture of the bond, whichever occurs first.

R.R.O. 1980, Reg. 181, Form 6.

Form 3

Consumer Protection Act

PERSONAL BOND

Bond No. ..... Amount $.....

I, ... as Obligor am held and firmly bound unto Her Majesty in right of Ontario in the sum of $....., to be paid unto Her Majesty, her successors and assigns, for which payment well and truly to be made, I, ...
(Name of Obligor)

bind myself, my heirs, executors, administrators and assigns, and I, ... deposit
(Name of Obligor)

with Her Majesty ..... as collateral security to this Bond.

The total liability imposed upon the Obligor by this Bond and any and all renewals thereof shall be concurrent and not cumulative and shall in no event exceed the penal sum written above or the amount substituted for such penal sum by any subsequent endorsement or renewal certificate.

SEALED with my seal and dated this ..... day of ....., 19.....

THE CONDITION of the above obligation is such that if the said obligation does not by reason of any act, matter or thing at any time hereafter become or be forfeit under the *Consumer Protection Act*, then the said obligation shall be void but otherwise shall be and remain in full force and effect and shall be subject to forfeiture as provided by the said Act.

SIGNED, SEALED AND DELIVERED)
)
in the presence of) Obligor .....
)
.....) .....
)
.....)

SPECIAL NOTE:

The Obligor should read the instructions re "Forfeiture of Bond" and "Term of Bond" shown on the reverse side before signing this form, and note in particular that the bonds posted as security will remain on deposit for two years after the lapse or cancellation of the registration under the *Consumer Protection Act*, or the forfeiture of the bond, whichever occurs first.

R.R.O. 1980, Reg. 181, Form 7.

Reg./Règl. 177

Consumer Reporting Act
Loi sur les renseignements concernant le consommateur

REGULATION 177

GENERAL

APPLICATION

1.—(1) An application for registration as a consumer reporting agency or a renewal thereof shall be in a form provided by the Minister.

(2) An application for registration as a personal information investigator or a renewal thereof shall be in a form provided by the Minister.

(3) A notice by a consumer reporting agency under clause 15 (a), (b) or (c) of the Act shall be in a form provided by the Minister. O. Reg. 616/83, s. 1.

EXEMPTIONS

2. A person licensed as a private investigator under the *Private Investigators and Security Guards Act* is exempt from paying the prescribed fee upon registration. R.R.O. 1980, Reg. 182, s. 2.

3. A user shall withhold from the disclosure required by subsection 10 (7) of the Act any medical information obtained with the written consent of the consumer which the consumer's own physician specifically requests in writing be withheld from the consumer in the consumer's own best interest. R.R.O. 1980, Reg. 182, s. 3.

4. A person providing counselling service in respect of consumer credit and who is receiving public money under the *Ministry of Community and Social Services Act* for that purpose is exempt from the Act. R.R.O. 1980, Reg. 182, s. 4.

FEES

5. Fees payable to the Registrar are as follows:

1.	Upon application for registration as a consumer reporting agency or renewal thereof	$200
2.	For each branch office	200
3.	Upon application for registration as a personal information investigator or renewal thereof	100

O. Reg. 270/86, s. 1.

6. No person shall be registered as a consumer reporting agency or a personal information investigator unless the person,

(a) if an individual, is eighteen years of age or over; and

(b) if an applicant for registration as a consumer reporting agency, has had at least two years of actual or related experience in all phases of consumer reporting. R.R.O. 1980, Reg. 182, s. 6.

TERMS AND CONDITIONS OF REGISTRATION

7.—(1) Every registration expires on the date shown on the certificate of registration unless an application for renewal of registration in a form provided by the Minister, together with the appropriate fee prescribed in section 5, is filed with the Registrar prior to the date of expiry. O. Reg. 616/83, s. 3.

(2) A registered consumer reporting agency shall not carry on business in a name other than the name in which the agency is registered or invite the public to deal at a place other than that authorized by the registration.

(3) Every person registered as a consumer reporting agency shall operate from a permanent business premises in Ontario.

(4) Every applicant for registration shall state in the application an address for service in Ontario. R.R.O. 1980, Reg. 182, s. 7 (2-4).

(5) Where an applicant for registration is a corporation, a copy of a current financial statement prepared by a person licensed under the *Public Accountancy Act*, or where the corporation is recently incorporated or is a sole proprietorship or partnership, an opening financial statement prepared by a person licensed under the *Public Accountancy Act* shall be attached to the application. O. Reg. 345/82, s. 1, *part.*

(6) A consumer reporting agency shall not operate any branch office unless such branch office is authorized by the registration.

(7) Where the registration of a consumer reporting agency or personal information investigator is suspended, revoked or surrendered, the registrant shall immediately return the certificate of registration to the Registrar by registered mail.

(8) The Registrar may require further information or material to be submitted by any applicant or registered person within a specified time limit and may require verification by affidavit or otherwise of any information or material then or previously submitted. R.R.O. 1980, Reg. 182, s. 7 (7-9).

8. Every personal information investigator shall, within five days after the event, notify the Registrar of,

(a) any change in the investigator's address for service and such notice shall be in a form provided by the Minister; and

(b) any commencement or termination of the investigator's employment and such notice shall be in a form provided by the Minister. O. Reg. 616/83, s. 4, *part.*

9. Where a consumer reporting agency is a corporation it shall, within five days after the event, notify the Registrar in a form provided by the Minister where there is a change in a director of the corporation or where there is a change in its controlling interest. O. Reg. 616/83, s. 4, *part.*

10. A voluntary cancellation of registration under subsection 6 (7) of the Act shall be in a form provided by the Minister. O. Reg. 616/83, s. 4, *part.*

Co-operative Corporations Act
Loi sur les sociétés coopératives

REGULATION 178

GENERAL

FORM OF DOCUMENTS

1.—(1) All documents delivered to or filed with the Minister or filed in the office of the Minister, including all affidavits, applications, assurances, balance sheets, by-laws, consents, dissents, notices and statements shall be printed, typewritten or reproduced legibly, in a manner suitable for photographing on microfilm, upon one side of good quality white paper that is,

(a) 210 millimetres by 297 millimetres with a margin of 40 millimetres on the left hand side; or

(b) 8½ inches by 11 inches, with a margin of 1½ inches on the left hand side.

(2) A document consisting of two or more pages shall have no backing or binding and shall be stapled in the upper left hand corner. R.R.O. 1980, Reg. 183, s. 1.

INCORPORATION

2.—(1) Articles of incorporation of a co-operative with share capital shall be in Form 1.

(2) Articles of incorporation of a co-operative without share capital shall be in Form 2. R.R.O. 1980, Reg. 183, s. 2.

3. A consent to act as a first director, where required under subsection 5 (5) of the Act, shall be in Form 3. R.R.O. 1980, Reg. 183, s. 3.

NAME

4. Where the name of a co-operative to be incorporated is the same as or similar to the name of any known corporation, association, partnership or individual, whether in existence or not, so as to be, in the opinion of the Minister, likely to deceive, the name of the co-operative to be incorporated shall contain such variation from that of the known corporation, association, partnership or individual as the Minister determines. R.R.O. 1980, Reg. 183, s. 4.

5. The name of the co-operative shall not be too general in character unless the name has become established by a long and continuous prior use. R.R.O. 1980, Reg. 183, s. 5.

6. Where the name of a co-operative contains initials or numerals, the Minister may in his or her discretion require the addition of some distinctive word. R.R.O. 1980, Reg. 183, s. 6.

7. The word "amalgamated" shall not be included in the name of a co-operative unless the co-operative is an amalgamated co-operative resulting from the amalgamation of two or more co-operatives. R.R.O. 1980, Reg. 183, s. 7.

8. The name of a co-operative shall not include the word "condominium" or any derivation thereof. R.R.O. 1980, Reg. 183, s. 8.

9. The name of a co-operative shall not include the word "veteran" or any abbreviation or derivation thereof unless there has been a long and continuous prior use of the name. R.R.O. 1980, Reg. 183, s. 9.

10. Where a person has reserved a name and at the expiration of the period for which the name has been reserved no co-operative with that name or a similar name has been incorporated, the name or a similar name shall not be reserved until the expiration of one year thereafter. R.R.O. 1980, Reg. 183, s. 10.

OBJECTS

11. The objects of a co-operative shall not include that of horse racing, or that of dog racing. R.R.O. 1980, Reg. 183, s. 11.

OFFERING STATEMENT

12.—(1) The offering statement required by subsection 34 (1) of the Act shall be prepared in accordance with Form 4.

(2) The statement of material change required by subsection 35 (4) of the Act shall be prepared in accordance with Form 5.

(3) There shall be attached to as part of the offering statement,

(a) in the case of a co-operative that has completed a financial year,

(i) its financial statement in respect of the last completed financial year,

(ii) where exigible under the Act, the auditor's report thereon, and

(iii) where required by the Minister, an unaudited financial statement made up as of a date not more than ninety days before the date of the offering statement; or

(b) in the case of a co-operative that has not completed a financial year,

(i) a financial statement made up as of a date not more than ninety days before the date of the offering statement, and

(ii) where required by the Minister, the auditor's report thereon.

(4) The Minister may in his or her discretion on such terms and conditions as he or she sees fit exempt a co-operative from any of the requirements of subsection 3. R.R.O. 1980, Reg. 183, s. 12.

REMOVAL OF BOOKS FROM HEAD OFFICE

13. An application under subsection 118 (3) of the Act to permit the removal of records from the head office of the co-operative shall be in Form 6. R.R.O. 1980, Reg. 183, s. 13.

ARTICLES OF AMENDMENT

14. Articles of amendment under subsection 153 (1) of the Act shall be in Form 7. R.R.O. 1980, Reg. 183, s. 14.

RESTATEMENT OF ARTICLES

15.—(1) Restated articles of incorporation under section 155 of the Act of a co-operative with share capital shall be in Form 8.

(2) Restated articles of incorporation under section 155 of the

Act of a co-operative without share capital shall be in Form 9. R.R.O. 1980, Reg. 183, s. 15.

ARTICLES OF AMALGAMATION

16. Articles of amalgamation under subsection 157 (1) of the Act shall be in Form 10. R.R.O. 1980, Reg. 183, s. 16.

ARTICLES OF DISSOLUTION

17.—(1) Articles of dissolution under subsection 164 (1) of the Act shall be in Form 11.

(2) Articles of dissolution under subsection 164 (1) of the Act shall be in Form 12.

(3) Articles of dissolution shall be accompanied by a consent of the Corporations Tax Branch of the Ministry of Revenue to the dissolution of the co-operative. R.R.O. 1980, Reg. 183, s. 17.

REVIVAL

18.—(1) An application for an order of revival under subsection 167 (3) of the Act shall be in Form 13.

(2) An application under subsection (1) shall be accompanied by,

(a) a consent of the Corporations Tax Branch of the Ministry of Revenue to the revival of the co-operative; and

(b) a statement in writing by the Public Trustee that he or she has no objection to the revival of the co-operative. R.R.O. 1980, Reg. 183, s. 18.

EVIDENCE OF SOLVENCY

19. For the purposes of subsection 153 (2) and subsection 157 (2) of the Act, evidence that the co-operative is not insolvent shall consist of,

(a) affidavits of two officers or of one officer and one director stating that in their opinion the co-operative is not insolvent within the meaning of subsection 1 (5) of the Act; and

(b) such other evidence as the Minister may require. R.R.O. 1980, Reg. 183, s. 19.

20. For the purposes of subsection 153 (3) of the Act, evidence that the co-operative is not insolvent and that the decrease of the authorized or issued capital will not render the co-operative insolvent shall consist of,

(a) affidavits of two officers or of one officer and one director stating that in their opinion the co-operative is not insolvent and that the decrease of the authorized or issued capital will not render the co-operative insolvent within the meaning of subsection 1 (5) of the Act; and

(b) such other evidence as the Minister may require. R.R.O. 1980, Reg. 183, s. 20.

FEES

21. The fees set out in the Schedule shall be paid to the Treasurer of Ontario. R.R.O. 1980, Reg. 183, s. 21.

22. No fees are payable in respect of searches under item 10, or in respect of copies of documents under item 11 of the Schedule by,

(a) any ministry of the Government of Ontario, or any agency, board or commission thereof, including the offices of Sheriff and Land Registrars;

(b) any Ministry of the Government of any other province of Canada having reciprocal arrangements or any agency, board or commission thereof;

(c) any Ministry of the Government of Canada or any agency, board or commission thereof;

(d) the police department or fire department of any municipality in Ontario. R.R.O. 1980, Reg. 183, s. 22.

REFUNDS

23. Fees paid under these regulations are not refundable despite the refusal, withdrawal or abandonment of the matter in respect of which the fee was paid. R.R.O. 1980, Reg. 183, s. 23.

MISCELLANEOUS

24. The Executive Director, the Director, Operations Branch, the Director, Administration Branch, the Director, Co-operative Services, the Controller of Records or an Assistant Controller of Records of the Companies Branch of the Ministry are designated officers of the Ministry for purposes of signing any certificate under subsection 1 (1) and section 182 of the Act. R.R.O. 1980, Reg. 183, s. 24.

Schedule

FEES

NAME, INCORPORATION AND AMALGAMATION

1. For reservation of a name under the Act	$ 15
2. On delivery of articles of incorporation or amalgamation, for filing and issue of a certificate,	
(a) for a co-operative whose articles provide that,	
(i) the co-operative shall carry on business without the purpose of gain for its members,	
(ii) the co-operative shall use any profit or other accretions for the purposes of promoting its objects,	
(iii) upon dissolution and after the payment of all debts and liabilities, the co-operative's remaining property shall be distributed or disposed of to charitable organizations carrying on their activities solely within Canada, and	
(iv) the directors,	
(A) shall serve without remuneration, and	
(B) shall not receive, directly or indirectly, any profit from their positions as directors but the articles may provide that the directors may be paid reasonable expenses incurred in the performance of their duties	100
(b) for any co-operative other than a co-operative to which clause (a) applies	500

RESTATEMENT OF ARTICLES

3. On delivery of restated articles of incorporation, for filing and issue of a certificate	100

AMENDMENTS OF ARTICLES

4. On delivery of articles of amendment, for filing and issue of a certificate $100

DISSOLUTION

5. On delivery of articles of dissolution for filing and issue of a certificate ..... No fee

ORDERS

6. On an application for an order,

(a) under subsection 118 (3) of the Act for removal of records 100

(b) under subsection 118 (3) of the Act for rescinding an order for removal of records 20

(c) under subsection 167 (3) of the Act 200

CONTINUATION

7.—(1) On an application for a certificate of continuation under subsection 158 (1) of the Act 200

(2) For an authorization by the Minister under section 159 of the Act 100

FILING DOCUMENTS

8. For filing an offering statement, a statement of material change, a further offering statement, financial statements or any other document required under the Act ..... No fee

CONVERSION OF CO-OPERATIVE INTO CORPORATION

9. On an application for a certificate of amendment under subsection 152 (1) of the Act $200

10. For searches in person or by letter to determine if any documents are on file with the Minister under the Act or a predecessor thereof, including purchase of a diazo or microfilm copy of the contents of all such documents, if any, for each co-operative 5

11.—(1) For copies of the contents of papers, articles and orders on file under the Act or any predecessor thereof in the Ministry, 50 cents a page with a minimum fee of $2 in respect of each co-operative.

(2) For certification of,

(a) the contents of papers, articles and orders, $10 in respect of each co-operative;

(b) a diazo or microfilm copy of the contents of papers, articles and orders, $10 in respect of each co-operative.

12. For a certificate in respect of a co-operative 50

O. Reg. 144/86, s. 1.

Form 1

Co-operative Corporations Act

ARTICLES OF INCORPORATION
OF A
CO-OPERATIVE WITH SHARE CAPITAL

1. The name of the co-operative is

2. The head office is at the .....
(status of municipality)

of ..... in the .....
(name of municipality) (county, etc., or district)

of .....
(name of county, etc., or district)

3. The address of the head office is

.....
(street and number or R.R. number and if multi-office building give room number)

.....
(name of municipality or post office)

4. The number of directors is .....

5. The first directors are:

Name in full, including all given names	Residence address, giving street and number or R.R. number and municipality or post office

6. The objects for which the co-operative is incorporated are

7. The authorized capital is

8. The designations, preferences, rights, conditions, restrictions, limitations or prohibitions attaching to the preference shares, if any, are

9. The restrictions on the allotment, issue or transfer of shares are

10. Special provisions, if any, are

11. The shares to be taken by the incorporators are:

Incorporators full names including all given names	Number of Shares	Class Designation	Amount to be Paid $

12. The names and residence addresses of the incorporators are:

Full names, including all given names	Full residence address giving street and number or R.R. number and municipality or post office

These articles are executed in duplicate for delivery to the Minister.

Signatures of incorporators

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO
..... OF .....
TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE ARTICLES OF INCORPORATION OF

.....
(name of co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ....., make oath and say that:
(name of province or state)

1. I am .....

   of .....
   and have personal knowledge of the matters herein deposed to.

2. Each of the incorporators who is a natural person signing the accompanying articles of incorporation in duplicate and each of the first directors named therein is of eighteen or more years of age.

3. The signatures of the incorporators affixed to the articles are their true signatures.

4. Each incorporator signing the accompanying articles of incorporation in duplicate is to be a member of the co-operative.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 1.

Form 2

Co-operative Corporations Act

ARTICLES OF INCORPORATION
OF A
CO-OPERATIVE WITHOUT SHARE CAPITAL

1. The name of the co-operative is

2. The head office is at the .....
(status of municipality)

of ..... in the .....
(name of municipality) (county, etc., or district)

of .....
(name of county, etc., or district)

3. The address of the head office is

.....
(street and number or R.R. number and if multi-office building give room number)

.....
(name of municipality or post office)

4. The number of directors is .....

5. The first directors are:

Name in full, including all given names	Residence address, giving street and number or R.R. number and municipality or post office

6. The objects for which the co-operative is incorporated are

7. The amount of the minimum member loan, if any

8. The restrictions on transfer of member loans are

9. The designation of classes of membership, if any, are

10. The amount of membership fee is

11. The terms and conditions attaching to each class of membership are

12. Special provisions, if any, are

13. The names and residence addresses of the incorporators are:

Full names, including all given names	Full residence address giving street and number or R.R. number and municipality or post office

These articles are executed in duplicate for delivery to the Minister.

Signatures of incorporators

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO
..... OF .....
TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE ARTICLES OF INCORPORATION OF

.....
(name of co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ....., make oath and say that:
(name of province or state)

1. I am .....

   of .....
   and have personal knowledge of the matters herein deposed to.

2. Each of the incorporators who is a natural person signing the accompanying articles of incorporation in duplicate and each of the first directors named therein is of eighteen or more years of age.

3. The signatures of the incorporators affixed to the articles are their true signatures.

4. Each incorporator signing the accompanying articles of incorporation in duplicate is to be a member of the co-operative.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 2.

Form 3

Co-operative Corporations Act

CONSENT TO ACT AS A FIRST DIRECTOR

I, ...
(name in full, including all given names)

residing at .....
(street and number or R.R. number, municipality or post office)

hereby consent to act as a first director of

.....
(name of co-operative)

Dated this ..... day of ....., 19.....

....
(signature of witness) (signature of the consenting person)

AFFIDAVIT OF WITNESS

PROVINCE OF ONTARIO
..... OF .....
TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE ARTICLES OF INCORPORATION OF

.....
(name of co-operative)

I, ... of the .....
(full name of witness) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ...., make oath and say that:
(name of province or state)

1. I was personally present and did see

..... sign
(full name of the consenting person)

the annexed consent to act as a first director

of .....
(name of the co-operative)

2. I am a subscribing witness to the said consent.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 3.

Form 4

Co-operative Corporations Act

OFFERING STATEMENT

1. Name of co-operative .....

2. Date of incorporation .....

3. Head office address .....
(street and number or R.R. number and if multi-office building give room number)

4. Directors and officers:

Name and Position	Residence Address	Principal Occupation

5. Description of the business or undertaking of the co-operative:

6. Where the co-operative is a co-operative with share capital,

(a) the authorized capital .....

(b) the issued capital .....

(c) the restrictions on transfer of shares:

OR

Where the co-operative is a co-operative without share capital,

(a) the membership fee .....

(b) the loan capital authorized .....

(c) the loan capital outstanding .....

(d) the minimum member loan, if any .....

(e) the restrictions on transfer of member loans:

7. Description of the securities to be issued:

8. The use of the proceeds:

9. Any commission payable or discount allowable:

10. The amount and particulars of any mortgages, bonds, debentures, or other debt obligations ranking ahead of the share or loan capital:

11. Description of any action, suit or other proceeding to which the co-operative is a party:

12. Any material interest of any director, officer or employee in:

    (a) the operation of the co-operative generally:

    (b) this security issue specifically:

13. Description of every material contract entered into within two years prior to the date of the offering statement:

14. Statement of any other material facts not already described:

    The financial statements and auditor's report thereon where required are attached hereto as Schedule "A" and are incorporated and form part of this offering statement.

The foregoing constitutes full, true and plain disclosure of all material facts relating to the securities proposed to be issued as required by the *Co-operative Corporations Act* and the regulations.

Dated at ..... this ..... day of ....., 19.....

Signatures of all directors of the co-operative.

R.R.O. 1980, Reg. 183, Form 4.

Form 5

Co-operative Corporations Act

STATEMENT OF MATERIAL CHANGE

1. Name of co-operative .....

2. Date of offering statement .....

3. Date of material change .....

4. Particulars of material change:

The foregoing constitutes full, true and plain disclosure of any material change in the facts set forth in the offering statement required by the *Co-operative Corporations Act* and the regulations.

Dated at ..... this ..... day of ....., 19.....

Signatures of all directors of the co-operative.

R.R.O. 1980, Reg. 183, Form 5.

Form 6

Co-operative Corporations Act

APPLICATION FOR AN ORDER PERMITTING REMOVAL OF RECORDS FROM THE HEAD OFFICE

To the Minister of Consumer
and Commercial Relations

1. Name of the applicant co-operative .....

2. Date of incorporation .....

3. The co-operative is not in default in filing notices required under the *Corporations Information Act* and statements required under the *Co-operative Corporations Act.*

4. It is requested that an order under subsection 118 (3) of the *Co-operative Corporations Act* be made permitting the co-operative to remove the records mentioned in sections 114 and 115 of the Act from its head office and to keep them at the following address:

5. A substantial number of the members of the co-operative live in or in the vicinity of the place in which it is desired to keep the records and it is a matter of convenience to have them removed to that place.

6. This application has been duly authorized,

(a) by a resolution approved by a majority of the votes cast at a general meeting of the members of the co-operative duly called for that purpose and held on .....;

or

(b) by the consent in writing of all the members of the co-operative entitled to vote at such meeting.

7. The co-operative hereby undertakes, if requested by the Minister, to return forthwith to its head office or some other place in Ontario designated by the Minister such of the records as may be removed.

Dated this ..... day of ....., 19.....

.....
(name of co-operative)

BY: .....
(signature) (description of office)

CORPORATE SEAL .....
(signature) (description of office)

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO

..... OF .....

TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT*, AND THE APPLICATION FOR AN ORDER PERMITTING THE REMOVAL OF RECORDS FROM THE HEAD OFFICE OF

.....
(name of applicant co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ...., make oath and say that:
(name of province or state)

1. I am .....
(description of office)

of .....
(name of co-operative)
and as such have personal knowledge of the matters herein deposed to.

2. The statements contained in the accompanying application are true.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 6.

Form 7

Co-operative Corporations Act

ARTICLES OF AMENDMENT

OF

.....
(name of co-operative)

INCORPORATED ON .....
(date of incorporation)

1. The following is a certified copy of the resolution amending the articles of the co-operative:

2. The amendment has been duly authorized as required by subsections 151 (2), (3) and (4) (as applicable) of the *Co-operative Corporations Act.*

3. The resolution authorizing the amendment was confirmed by the members of the co-operative on .....
.....

4. These articles are executed in duplicate for delivery to the Minister.

CERTIFIED .....
(name of co-operative)

BY: .....
(signature) (description of office)

CORPORATE SEAL .....
(signature) (description of office)

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO

..... OF .....

TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE ARTICLES OF AMENDMENT OF

.....
(name of co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ..... , make oath and say that:
(name of province or state)

1. I am .....
(description of office)

of .....
(name of co-operative)

(hereinafter called the "co-operative") and as such have personal knowledge of the matters herein deposed to.

2. The statements contained in the accompanying articles of amendment of the co-operative are true.

3. The co-operative has complied with the requirements of the *Co-operative Corporations Act* and the conditions contained in the articles and by-laws of the co-operative precedent to the delivery of the articles of amendment.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 7.

Form 8

Co-operative Corporations Act

RESTATED ARTICLES OF INCORPORATION
OF A
CO-OPERATIVE WITH SHARE CAPITAL

.....
(name of co-operative)

INCORPORATED ON .....
(date of incorporation)

1. These restated articles correctly set out without change the corresponding provisions of the original articles of incorporation as heretofore amended.

2. The head office is at the .....
(status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of .....
(name of county or district)

3. The address of the head office is

.....
(street and number or R.R. number and if multi-office building give room number)

.....
(name of municipality or post office)

4. The number of directors is .....

5. The directors are:

Name in full, including all given names	Residence address, giving street and number or R.R. number and municipality or post office

6. The objects for which the co-operative is incorporated are

7. The authorized capital is

8. The designations, preferences, rights, conditions, restrictions, limitations or prohibitions attaching to the preference shares, if any, are

9. The restrictions on the allotment, issue or transfer of shares are

10. Special provisions, if any, are

These articles are executed in duplicate for delivery to the Minister.

.....
(name of co-operative)

BY: .....
(signature) (description of office)

CORPORATE SEAL .....
(signature) (description of office)

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO

..... OF .....

TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE RESTATED ARTICLES OF INCORPORATION OF

.....
(name of co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ..... , make oath and say that:
(name of province or state)

1. I am .....
(description of office)

of .....
(name of co-operative)

(hereinafter called the "co-operative") and as such have personal knowledge of the matters herein deposed to.

2. The statements contained in the accompanying restated articles of incorporation of the co-operative are true.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 8.

Form 9

Co-operative Corporations Act

RESTATED ARTICLES OF INCORPORATION
OF A
CO-OPERATIVE WITHOUT SHARE CAPITAL

.....
(name of co-operative)

INCORPORATED ON .....
(date of incorporation)

1. These restated articles correctly set out without change the corresponding provisions of the original articles of incorporation as heretofore amended.

2. The head office is at the .....
(status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of .....
(name of county or district)

3. The address of the head office is

.....
(street and number or R.R. number and if multi-office building give room number)

.....
(name of municipality or post office)

4. The number of directors is .....

5. The directors are:

Name in full, including all given names	Residence address, giving street and number or R.R. number and municipality or post office

6. The objects for which the co-operative is incorporated are

7. The authorized capital is

8. The amount of the minimum member loan, if any

9. The restrictions on transfer of member loans are

10. The designation of classes of membership, if any, are

11. The amount of membership fee is

12. The terms and conditions attaching to each class of membership are

13. Special provisions, if any, are

These articles are executed in duplicate for delivery to the Minister.

.....
(name of co-operative)

BY: .....
(signature) (description of office)

CORPORATE SEAL .....
(signature) (description of office)

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO

..... OF .....

TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE RESTATED ARTICLES OF INCORPORATION OF

.....
(name of co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ..... , make oath and say that:
(name of province or state)

1. I am .....
(description of office)

of .....
(name of co-operative)

(hereinafter called the "co-operative") and as such have personal knowledge of the matters herein deposed to.

2. The statements contained in the accompanying restated articles of incorporation of the co-operative are true.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 9.

Form 10

Co-operative Corporations Act

ARTICLES OF AMALGAMATION

1. The name of the amalgamated co-operative is

2. The amalgamation agreement has been duly approved as required by section 156 of the *Co-operative Corporations Act.*

3. The names of the amalgamating co-operatives and the dates on which the amalgamation agreemcnt was approved by the members of each of the amalgamating co-operatives are:

Names of Co-operatives	Dates of Members' Approval

4. The following is a certified copy of the amalgamation agreement:

These articles are executed in duplicate for delivery to the Minister.

CERTIFIED

Names and seals of the amalgamating co-operatives and signatures and descriptions of office of their proper officers.

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO

..... OF .....

TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE RESTATED ARTICLES OF AMALGAMATION OF

.....
(name of amalgamated co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ..... , make oath and say that:
(name of province or state)

1. I am .....
(description of office)

of .....
(name of co-operative)

One of the amalgamating co-operatives (hereinafter called the "co-operative") and as such have personal knowledge of the matters herein deposed to.

2. The statements contained in the accompanying articles of amalgamation are true.

3. The co-operative has complied with the requirements of the *Co-operative Corporations Act* and the conditions contained in the articles and by-laws of the co-operative precedent to the delivery of the articles of amalgamation.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 10.

Form 11

Co-operative Corporations Act

ARTICLES OF DISSOLUTION
OF

.....
(name of co-operative)

INCORPORATED ON .....
(date of incorporation)

1. The dissolution has been duly authorized under clause 163 (c) of the *Co-operative Corporations Act.*

2. The co-operative has,

(a) no debts, obligations or liabilities;

(b) duly provided for its debts, obligations or liabilities in accordance with subsection 164 (3) of the *Co-operative Corporations Act*; or

(c) obtained consent to its dissolution from its creditors or other persons having interests in its debts, obligations or liabilities.

3. After satisfying the interests of creditors in all its debts, obligations or liabilities, if any, the co-operative has,

(a) no property to distribute among its members; or

(b) distributed its remaining property pursuant to the provisions of the *Co-operative Corporations Act* and its articles.

4. There are no proceedings pending in any court against the co-operative.

5. The co-operative has given notice of its intention to dissolve by publication in *The Ontario Gazette* and once in " ..... " a newspaper having general circulation in the place where the co-operative has its head office.

6. The co-operative has obtained the consent of the Corporations Tax Branch of the Ministry of Revenue to the dissolution and has filed all notices required under the *Corporations Information Act*, and all statements required under the *Co-operative Corporations Act.*

These articles are executed in duplicate for delivery to the Minister.

.....
(name of co-operative)

BY: .....
(signature) (description of office)

CORPORATE SEAL .....
(signature) (description of office)

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO
..... OF .....
TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE ARTICLES OF DISSOLUTION OF

.....
(name of co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ..... , make oath and say that:
(name of province or state)

1. I am .....
(description of office)

of .....
(name of co-operative)
and as such have personal knowledge of the matters herein deposed to.

2. The statements contained in the accompanying articles of dissolution are true.

3. The co-operative has complied with the requirements of the *Co-operative Corporations Act* and the conditions contained in the articles and by-laws of the co-operative precedent to the delivery of articles of dissolution.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of deponent)

.....
(signature of commissioner, notary public, etc.)

R.R.O. 1980, Reg. 183, Form 11.

Form 12

Co-operative Corporations Act

ARTICLES OF DISSOLUTION

OF

.....
(name of co-operative)

INCORPORATED ON .....
(date of incorporation)

1. The co-operative has not commenced business.

2. None of the capital of the co-operative has been issued.

3. The dissolution has been duly authorized under clause 163 (c) of the *Co-operative Corporations Act.*

4. The co-operative has no debts, obligations or liabilities.

5. After satisfying the interests of creditors in all its debts, obligations or liabilities, if any, the co-operative,

   (a) has no property to distribute; or

   (b) has distributed its remaining property to the persons entitled thereto.

6. There are no proceedings pending in any court against the co-operative.

7. The co-operative has given notice of its intention to dissolve by publication once in *The Ontario Gazette* and once in " ..... " a newspaper having general circulation in the place where the co-operative has its head office.

8. The co-operative has obtained the consent of the Corporations Tax Branch of the Ministry of Revenue to the dissolution and has filed all notices required under the *Corporations Information Act.*

These articles are executed in duplicate for delivery to the Minister.

Signatures and full names of all of the incorporators or their personal representatives.

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO
..... OF .....
TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE ARTICLES OF DISSOLUTION OF

.....
(name of co-operative)

I, ... of the .....
(full name of deponent) (status of municipality)

of ..... in the .....
(name of municipality) (county or district)

of ..... in the .....
(name of county or district) (province or state)

of ...., make oath and say that:
(name of province or state)

1. I am .....
(description of office)

   of .....
(name of co-operative)
   and as such have personal knowledge of the matters herein deposed to.

2. The statements contained in the accompanying articles of dissolution are true.

3. The co-operative has complied with the requirements of the *Co-operative Corporations Act* and the conditions contained in the articles and by-laws of the co-operative precedent to the delivery of articles of dissolution.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ....., 19.....

.....
(signature of deponent)

.....
(signature of commissioner, notary public, etc.)

R.R.O. 1980, Reg. 183, Form 12.

Form 13

Co-operative Corporations Act

APPLICATION FOR REVIVAL
OF CO-OPERATIVE

To the Minister of Consumer
and Commercial Relations

1. Name of dissolved co-operative .....

2. Date of incorporation .....

3. Date of dissolution .....

4. The following terms and conditions have been complied with,

(a) all notices required to be filed by the co-operative under the *Corporations Information Act* have been filed and all other defaults of the co-operative to the date of dissolution have been remedied;

(b) the consent of the Corporations Tax Branch of the Ministry of Revenue to the requested revival has been obtained;

(c) the Public Trustee has no objection to the requested revival.

5. Immediately before dissolution the interest of the applicant in the co-operative was

6. The reasons for requesting revival of the co-operative are

7. It is requested that the co-operative be revived under the provisions of subsection 167 (3) of the *Co-operative Corporations Act.*

Dated this ..... day of ....., 19.....

Full name and signature of the applicant.

AFFIDAVIT OF VERIFICATION

PROVINCE OF ONTARIO
..... OF .....
TO WIT:

IN THE MATTER OF THE *CO-OPERATIVE CORPORATIONS ACT* AND THE APPLICATION FOR REVIVAL OF

.....
(name of the dissolved co-operative)

I, ...
(full name of deponent)

of .....
(full residence address)

make oath and say that:

1. I am .....
(state interest in the dissolved co-operative)

.....

of .....
(name of dissolved co-operative)

and have personal knowledge of the matters herein deposed to.

2. The statements contained in the accompanying application are true.

3. This application is made in good faith and is not made for any improper purpose.

Sworn before me at the

.....

of ..... in the .....

of ..... this ..... day

of ..... , 19.....

.....
(signature of commissioner, notary public, etc.)

.....
(signature of deponent)

R.R.O. 1980, Reg. 183, Form 13.

Reg./Règl. 179

Co-operative Loans Act
Loi sur les prêts aux coopératives

REGULATION 179

GENERAL

1. An application to the Board by a co-operative association for a loan shall be in Form 1. R.R.O. 1980, Reg. 184, s. 1.

2. An agreement entered into by a co-operative association and the Minister under section 3 of the Act shall be in Form 2. R.R.O. 1980, Reg. 184, s. 2.

3.—(1) The annual or other reports, returns and statements that shall be made to the Board by each co-operative association having a loan under the Act are,

(a) an annual statement of its operations;

(b) an annual financial statement and report;

(c) the auditor's annual financial statement and report of its operations; and

(d) such other reports, returns and statements as the Board requires.

(2) The co-operative association shall send by prepaid post to the Board a copy of the annual statement of its operations and the annual financial statement and report required under clauses (1) (a) and (b) within ninety days after the close of its fiscal year.

(3) Subject to subsection (4), the co-operative association shall send by prepaid post to the Board the auditor's financial statement and report of its operations or a certified copy thereof within ten days after the co-operative association receives the financial statement and report of its operations from the auditor.

(4) Where a co-operative association gives to its members a notice of an annual meeting and the notice is accompanied by an auditor's financial statement and report of its operations, the co-operative association shall send by prepaid post to the Board a copy of the notice together with a certified copy of the auditor's financial statement and report of its operations at least ten days before the date of the holding of the annual meeting. R.R.O. 1980, Reg. 184, s. 3.

Form 1

Co-operative Loans Act

APPLICATION FOR LOAN

To: The Co-operative Loans Board of Ontario,
Ministry of Agriculture and Food,
Legislative Buildings,
Toronto.

Under the *Co-operative Loans Act* and the regulations, and subject to the limitations thereof, ...

..... applies for a loan of ..... dollars, ($)
(name of co-operative association)

and in support of this application the following facts are stated:

1. Business address .....
2. Date of incorporation .....
3. Number of directors .....
4. Number of directors provided for in by-laws .....
5. The names and addresses of the manager and the officers of the co-operative association are:

   Manager ..... Address .....

   President ..... Address .....

   Vice-president ..... Address .....

   Secretary ..... Address .....

   Other officers (specify) .....

   .....

6. Purposes of business now conducted .....

   .....

7. Purpose of loan .....

.....

8. Authorized capital (if any) $..... comprising ..... shares having a par value of $.....
(number)

each.

9. The co-operative association is financed as follows:

	Amount subscribed	Maturity date
i. By shares	$.....	.....
ii. By member loans	$.....	.....
	$.....	.....
	$.....	.....
iii. By debentures	$.....	.....
iv. By deferred patronage dividends	$.....	.....
	$.....	.....
	$.....	.....

v. By other means (give details) .....

.....

10. Fiscal year ends with the ..... of .....
(day) (month)

11. A certified copy of the auditor's report for the fiscal year ending ..... and the interim financial statement of the current year to date accompany this application.

12. Name and address of auditor: .....

13. Name of Bank and branch address where business is conducted: .....

14. Descriptions and locations of the real property of the co-operative association on which this application for a loan is made: .....

.....

15. Assessed value of property $.....

16. Taxes payable on property last year (give details): .....

17. Are taxes in arrears? ..... If so, give details .....

18. Is the property on which this application for a loan is made now mortgaged or encumbered? .....

(If so, give details) .....

19. Is any other property of the co-operative association mortgaged or encumbered? .....

(If so, give details) .....

Dated at ..... the ..... day of ....., 19.....

.....
(name of co-operative association)

.....
(president)

.....
(secretary)

R.R.O. 1980, Reg. 184, Form 1.

Form 2

Co-operative Loans Act

AGREEMENT

MEMORANDUM OF AGREEMENT made this ..... day of ....., 19.....

BETWEEN:

.....

(name of co-operative association)

a body corporate and politic having its head office in the ..... of ....., in the County of ....., hereinafter called

THE "CO-OPERATIVE ASSOCIATION"

OF THE FIRST PART,

—and—

THE MINISTER OF AGRICULTURE AND FOOD OF THE PROVINCE OF ONTARIO, hereinafter called THE "MINISTER",

OF THE SECOND PART.

WHEREAS the Co-operative Association has applied to the Co-operative Loans Board of Ontario under the *Co-operative Loans Act* for a loan of ..... Dollars ($.....) by the Lieutenant Governor in Council upon the security of the real property of the co-operative association upon which the loan is to be made, more particularly described in Schedule "A" annexed hereto, and upon the security of the chattels of the Co-operative Association described in Schedule "B" annexed hereto.

1. NOW THIS AGREEMENT WITNESSETH that in consideration of the loan being made, THE CO-OPERATIVE ASSOCIATION COVENANTS,

(a) to execute in favour of the Treasurer of Ontario first mortgage security in accordance with the provisions of the Act;

(b) to employ a manager approved by the Minister, and to continue to employ a manager so approved until the said loan and interest thereon have paid in full;

(c) to carry on the same business as is now by it carried on, but the Minister may consent to a change in the business carried on and such consent shall not be deemed to permit a further change in the business without his or her consent;

(d) to apply the loan for the purpose stated in its application therefor;

(e) to transfer or sell no asset that is included in the security for the loan, without the consent of the Minister.

2. The Co-operative Association represents that it has complied with the provisions of the *Co-operative Loans Act*, and the regulations.

3. PROVIDED that should the Co-operative Association be in breach of any of the covenants in this agreement, or otherwise violate any of the provisions of the *Co-operative Loans Act*, or the regulations, the balance of principal and interest thereon secured by mortgage given by the Co-operative Association in favour of the Treasurer of Ontario shall thereupon become due and payable.

AND PROVIDED FURTHER that the provisions of this agreement shall be read along with the said mortgage and shall be deemed a part thereof.

IN WITNESS WHEREOF the Co-operative Association has hereunto affixed its corporate seal attested by its proper officers in that behalf, and the Minister of Agriculture and Food has affixed the seal of the Ministry attested by his or her signature.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

.....
(name of co-operative association)

.....
(president)

.....
(secretary)

.....
(Minister of Agriculture and Food)

R.R.O. 1980, Reg. 184, Form 2.

Reg./Règl. 180

Coroners Act
Loi sur les coroners

REGULATION 180

GENERAL

Areas

1. The areas composed of the counties, territorial districts and metropolitan and regional areas set out in the items of Column 2 of Schedule 1 are established under subsection 3 (5) of the Act as areas to be known by the numbers set opposite thereto in Column 1 of the Schedule. R.R.O. 1980, Reg. 185, s. 1.

Interest or Bias

2. For the purposes of subsection 34 (6) of the Act, the following are prescribed as matters that may be grounds for disqualification of a juror because of interest or bias:

1. Direct pecuniary or personal interest.
2. Personal hostility.
3. Personal friendship.
4. Family relationship.
5. Professional or vocational relationship.
6. Employer-employee relationship.

R.R.O. 1980, Reg. 185, s. 2.

Notice

3.—(1) A coroner before holding an inquest shall notify every person designated as a person with standing at the inquest and every person the coroner believes may be substantially and directly interested in the inquest of the date, time and place of the inquest.

(2) The notice may be given by personal service or by sending by registered mail addressed to the person at the person's usual residence.

(3) The notice need not be given to a person who has been or will be summoned to attend at the inquest as a witness. R.R.O. 1980, Reg. 185, s. 3.

4. Except where the circumstances otherwise require, an inquest shall be held in a court room or other place of equal dignity. R.R.O. 1980, Reg. 185, s. 4.

Proclamations

5. Every inquest shall be opened with the proclamation set out in paragraph 1 of Schedule 2. R.R.O. 1980, Reg. 185, s. 5.

6. Where an inquest is adjourned, whether to the following day or to a later day, the proclamation set out in paragraph 2 of Schedule 2 shall be made. R.R.O. 1980, Reg. 185, s. 6.

7. Where an inquest is resumed after an adjournment, the proclamation set out in paragraph 3 of Schedule 2 shall be made. R.R.O. 1980, Reg. 185, s. 7.

8. The proclamation set out in paragraph 4 of Schedule 2 shall be made at the close of an inquest. R.R.O. 1980, Reg. 185, s. 8.

Jurors

9.—(1) A verdict or finding of a jury shall be in writing and shall be handed to the coroner who shall ensure that it complies with section 31 of the Act.

(2) The coroner, where he or she considers it appropriate, may further address the jury with regard to the provisions of section 31 of the Act and may afford the jury an opportunity or opportunities to reconsider its verdict or finding.

(3) Where the verdict or finding complies with section 31 of the Act it shall be read aloud before the jury is discharged. R.R.O. 1980, Reg. 185, s. 9.

10. When a jury is discharged under subsection 31 (5) of the Act, the coroner shall forthwith prepare and transmit to the Chief Coroner a brief report of the discharge. R.R.O. 1980, Reg. 185, s. 10.

11.—(1) The jurors at an inquest shall choose one of the members of the jury to be the foreman of the jury.

(2) The oath set out in paragraph 1 of Schedule 3 shall be administered to each juror and an affirmative answer by the juror shall complete the oath.

(3) A juror who objects to making the oath may in lieu thereof make the affirmation set out in paragraph 1 of Schedule 4. R.R.O. 1980, Reg. 185, s. 11.

12. Subject to section 16, the oath set out in paragraph 2 of Schedule 3 shall be administered to a constable appointed under subsection 48 (2) of the Act and an affirmative answer by the constable shall complete the oath. R.R.O. 1980, Reg. 185, s. 12.

13. Subject to section 16, the oath set out in paragraph 3 of Schedule 3 shall be administered to a person appointed to record the evidence upon an inquest and an affirmative answer by the person shall complete the oath. R.R.O. 1980, Reg. 185, s. 13.

14. Subject to section 16, the oath set out in paragraph 4 of Schedule 3 shall be administered to a person acting as interpreter under subsection 48 (1) of the Act and an affirmative answer by the person shall complete the oath. R.R.O. 1980, Reg. 185, s. 14.

15. Subject to section 16, the oath set out in paragraph 5 of Schedule 3 shall be administered to a witness at an inquest and an affirmative answer by the witness shall complete the oath. R.R.O. 1980, Reg. 185, s. 15.

16. A person referred to in section 12, 13, 14 or 15, in lieu of making oath, may make the affirmation set out in paragraph 2, 3, 4 or 5, as the case requires, of Schedule 4. R.R.O. 1980, Reg. 185, s. 16.

Fees

17.—(1) A coroner who makes an investigation or holds an inquest shall be paid the fees and allowances set out in Schedule 5.

(2) If an investigation is made by more than one coroner under section 17 of the Act, each coroner may be paid a fee for investigation and an allowance under subsection (1).

(3) A coroner who is in receipt of a salary for employment as cor-

oner shall not be paid a fee or an allowance under this section. O. Reg. 611/88, s. 2.

18. A person appointed as a constable under subsection 48 (2) of the Act shall be paid the fees and allowances set out in Schedule 6. R.R.O. 1980, Reg. 185, s. 18.

19. A person appointed by a coroner to record the evidence upon an inquest or any part of it shall be paid the fees and allowances set out in Schedule 7. R.R.O. 1980, Reg. 185, s. 19.

20. A police officer or a salaried employee of the Government of Ontario shall not be paid a fee or an allowance under section 18 or 19. R.R.O. 1980, Reg. 185, s. 20.

21. A person who serves as a juror at an inquest shall be paid the fees and allowances set out in Schedule 8. R.R.O. 1980, Reg. 185, s. 21.

22. A person who attends at an inquest as a witness upon the summons of the coroner shall be paid the fees and allowances set out in Schedule 9. R.R.O. 1980, Reg. 185, s. 22.

23. A person employed by a coroner to act as an interpreter at an inquest shall be paid a fee of $23.25 for the first hour of the first day or part thereof and $14.25 an hour thereafter. O. Reg. 611/88, s. 3.

24. The fees and allowances payable for,

(a) a *post mortem* examination of a body;

(b) any other examination or analysis;

(c) the use of facilities for *post mortem* examination in a hospital or other place;

(d) transporting a dead body for further investigation upon the authorization of a coroner; and

(e) travel in connection with an examination or analysis,

are those set out in Schedule 10. R.R.O. 1980, Reg. 185, s. 25.

25. For the purposes of the Schedules, the dividing line between northern Ontario and southern Ontario is as follows:

Healey Lake (Municipal) Road from Healey Lake easterly to its junction with Highway 612; Highway 612 southerly to its junction with Highway 69; Highway 69 easterly to its junction with Highway 169; Highway 169 easterly to its junction with Highway 118; Highway 118 through Bracebridge to its junction with Highway 11; Highway 11 northerly to its junction with Highway 60 at Huntsville; Highway 60 easterly to its junction with Highway 62 at Killaloe; Highway 62 to Pembroke; the above-named highways to be included in southern Ontario. R.R.O. 1980, Reg. 185, s. 26; O. Reg. 292/86, s. 1.

FORMS

26. A coroner's warrant to take possession of a body shall be in Form 1. R.R.O. 1980, Reg. 185, s. 27.

27. A coroner's warrant to bury a body shall be in Form 2. R.R.O. 1980, Reg. 185, s. 28.

28. A coroner's statement under subsection 18 (1) of the Act shall be in Form 3. R.R.O. 1980, Reg. 185, s. 29.

29. A coroner's warrant for the holding of an inquest shall be in Form 4. R.R.O. 1980, Reg. 185, s. 30.

30. A coroner's investigation statement where an inquest is to be held shall be in Form 5. R.R.O. 1980, Reg. 185, s. 31.

31. A coroner's warrant for a *post mortem* examination shall be in Form 6. R.R.O. 1980, Reg. 185, s. 32.

32. A coroner's warrant to a sheriff for the provisions of names taken from the jury roll prepared under the *Juries Act* shall be in Form 7. R.R.O. 1980, Reg. 185, s. 33.

33. A sheriff's list of names under subsection 34 (2) of the Act shall be in Form 8. R.R.O. 1980, Reg. 185, s. 34.

34. A constable's summons to a juror shall be in Form 9. R.R.O. 1980, Reg. 185, s. 35.

35. A constable's notice to a person designated as a person with standing at an inquest or to a person who may be substantially and directly interested in the inquest shall be in Form 10. R.R.O. 1980, Reg. 185, s. 36.

36. A constable's return in respect of jurors and persons with standing shall be in Form 11. R.R.O. 1980, Reg. 185, s. 37.

37. The verdict of a coroner's jury shall be in Form 12. R.R.O. 1980, Reg. 185, s. 38.

38. A coroner's notice to the Crown Attorney of the holding of an inquest shall be in Form 13. R.R.O. 1980, Reg. 185, s. 39.

39. A report of a *post mortem* examination of a body shall be in Form 14. R.R.O. 1980, Reg. 185, s. 40.

40. An affidavit of service of a summons upon a juror or a witness shall be in Form 15. R.R.O. 1980, Reg. 185, s. 41.

41. A coroner's certificate for the shipment of a dead body to any place outside Ontario shall be in Form 16. R.R.O. 1980, Reg. 185, s. 42.

Schedule 1

AREAS

COLUMN 1	COLUMN 2
Area Number	Area
1.	The counties of Essex, Kent and Lambton
2.	The counties of Elgin, Middlesex and Oxford
3.	The counties of Huron and Perth
4.	The counties of Bruce and Grey
5.	The Regional Municipality of Waterloo and the County of Wellington
6.	The County of Brant and The Regional Municipality of Haldimand-Norfolk
7.	The Regional Municipality of Niagara
8.	The regional municipalities of Halton and Hamilton-Wentworth
9.	The Municipality of Metropolitan Toronto and the regional municipalities of Peel and York
10.	The counties of Dufferin and Simcoe
11.	The Regional Municipality of Durham and the County of Northumberland
12.	The County of Haliburton and the counties of Peterborough and Victoria
13.	The counties of Frontenac, Hastings, Lennox and Addington and Prince Edward

Column 1	Column 2
Area Number	Area
14.	The counties of Grenville, Lanark and Leeds
15.	The counties of Dundas, Glengarry, Prescott, Russell and Stormont
16.	The Regional Municipality of Ottawa-Carleton
17.	The County of Renfrew and The Territorial District of Nipissing
18.	The District Municipality of Muskoka and the Territorial District of Parry Sound
19.	The territorial districts of Algoma, Manitoulin, Sudbury and Timiskaming
20.	The Territorial District of Cochrane
21.	The Territorial District of Thunder Bay
22.	The territorial districts of Kenora and Rainy River

R.R.O. 1980, Reg. 185, Sched. 1.

Schedule 2

PROCLAMATIONS

1. OYEZ, OYEZ, OYEZ: Ladies and gentlemen you are summoned to attend here this day to inquire into and determine for Our Sovereign Lady, the Queen, the identity of the deceased, how, when, where and by what means the deceased came to his (her) death. Affirm your presence as your names are called.

2. OYEZ, OYEZ, OYEZ: All persons having anything further to do before this inquest may depart hence at this time and give your attention here again on ..... day, the ..... day of ....., 19..... at ..... o'clock in the ..... noon. God save the Queen.

3. OYEZ, OYEZ OYEZ: This inquest is now resumed. The jurors will severally answer to their names as they are called.

4. OYEZ, OYEZ, OYEZ: This inquest is now closed and the jury is discharged. God save the Queen. R.R.O. 1980, Reg. 185, Sched. 2.

Schedule 3

OATHS

1. DO YOU SWEAR that you will diligently inquire into the death of ..... and determine on the evidence presented at this inquest, his (her) identity, how, when, where and by what means the deceased came to his (her) death and without partiality or bias towards any person, render a true verdict in accordance with such evidence, so help you God?

2. DO YOU SWEAR that you will faithfully assist the coroner in the inquest into the death of ..... and perform such duties as the coroner shall direct and when the jury retires to consider its verdict you will not permit any person to speak to the jurors, nor will you speak to them concerning the inquest or matters relating to the inquest except to ask them if they have agreed on a verdict, so help you God?

3. DO YOU SWEAR that you will truly and faithfully and to the best of your skill and ability record the evidence given at this inquest and truly transcribe the same, if required, without favour or affection, prejudice or partiality towards any person, so help you God?

4. DO YOU SWEAR that you understand the ..... language and the English language and that you will truly and faithfully translate the oath or affirmation and all questions asked of and statements made to such witness or witnesses as the coroner shall direct and the evidence given and statements made by such witness or witnesses at this inquest to the best of your skill and ability, so help you God?

5. DO YOU SWEAR that the evidence that you will give at this inquest into the death of ..... will be the truth, the whole truth and nothing but the truth, so help you God? R.R.O. 1980, Reg. 185, Sched. 3.

Schedule 4

AFFIRMATIONS

1. DO YOU SOLEMNLY AFFIRM that you will diligently inquire into the death of ..... and determine on the evidence presented at this inquest, his (her) identity, how, when, where and by what means the deceased came to his (her) death and without partiality or bias towards any person, render a true verdict in accordance with such evidence?

2. DO YOU SOLEMNLY AFFIRM that you will faithfully assist the coroner in the inquest into the death of ..... and perform such duties as the coroner shall direct, and when the jury retires to consider its verdict you will not permit any person to speak to the jurors, nor will you speak to them concerning the inquest or matters relating to the inquest except to ask them if they have agreed on a verdict?

3. DO YOU SOLEMNLY AFFIRM that you will truly and faithfully and to the best of your skill and ability record the evidence given at this inquest and truly transcribe the same, if required, without favour or affection, prejudice or partiality towards any person?

4. DO YOU SOLEMNLY AFFIRM that you understand the ..... language and the English language and that you will truly and faithfully translate the oath or affirmation and all questions asked of and statements made to such witness or witnesses as the coroner shall direct and the evidence given and statements made by such witness or witnesses at this inquest to the best of your skill and ability?

5. DO YOU SOLEMNLY AFFIRM that the evidence that you will give at this inquest into the death of ..... will be the truth, the whole truth and nothing but the truth? R.R.O. 1980, Reg. 185, Sched. 4.

Schedule 5

CORONER'S FEES AND ALLOWANCES

1. For making an investigation on or after the 1st day of December, 1990, a fee of $112.

2. For attendance at a pre-inquest meeting on or after the 1st day of December, 1990 with persons with standing, a police officer or the Crown Attorney or a person designated by the Crown Attorney, a fee of $90 per hour, to a maximum of three hours.

3. For attendance at an inquest on or after the 1st day of

December, 1990, a fee of $90 per hour for each hour of attendance.

4. A fee mentioned in paragraph 1, 2 or 3 may be increased by the Chief Coroner to such amount as he or she considers appropriate if, in his or her opinion, the increase is justified having regard to the special circumstances of the case.

5. For each kilometre of necessary travel by private automobile in connection with an investigation or inquest an allowance in accordance with Schedule 11 (Kilometre Allowances).

6. For all expenses other than,

   i. the expense referred to in paragraph 5, and

   ii. secretarial services, postage and stationery,

   incurred in connection with an investigation or an inquest, an allowance in an amount equal to the amount of the expences that were reasonably, necessarily and actually incurred.

7. For a certificate issued under subsection 13 (1) of the Act on or after the 1st day of December, 1990, a fee of $30.00

8. For a certificate issued under section 80 of the *Cemeteries Act*, a fee of $30, payable by the applicant for the certificate. O. Reg. 292/86, s. 2; O. Reg. 521/87, s. 1; O. Reg. 611/88, s. 5; O. Reg. 609/89, s. 2; O. Reg. 687/90, s. 3.

Schedule 6

CONSTABLES

1. For summoning a jury on or after the 1st day of December, 1990 for an inquest, a fee per hour of $10.00

2. For attendance at an inquest on or after the 1st day of December, 1990, a fee per hour of 10.00

3. Where an inquest continues past one-half day and in the opinion of the coroner it is desirable that a constable be reimbursed the cost of a meal, an amount equal to the amount reasonably and actually paid by the constable for the meal.

4. For each kilometre of necessary travel by private automobile in connection with the service of summonses, an allowance in accordance with Schedule 11 (Kilometre Allowances). R.R.O. 1980, Reg. 185, Sched. 6; O. Reg. 533/82, s. 2; O. Reg. 292/86, s. 3; O. Reg. 687/90, s. 4.

Schedule 7

RECORDING OF EVIDENCE

1. For recording the evidence upon an inquest or any part of it, a fee in accordance with Regulation 2 of Revised Regulations of Ontario, 1990 (Court Reporters and Court Monitors).

2. For copies of the transcription of the evidence upon an inquest, a fee payable by the person ordering or requesting the transcripts in accordance with Regulation 2 of Revised Regulations of Ontario, 1990 (Court Reporters and Court Monitors).

3. Where a person appointed to record the evidence upon an inquest resides elsewhere than the place where the inquest is held and in the opinion of the coroner it is desirable that the person remain overnight at such place, an amount equal to the amount reasonably and actually paid by the person for overnight accommodation.

4. Where an inquest continues past one-half day and in the opinion of the coroner it is desirable that a person appointed to record the evidence upon the inquest be reimbursed the cost of a meal, an amount equal to the amount reasonably and actually paid by the person for the meal.

5. Where a person appointed to record the evidence upon an inquest resides elsewhere than the place where the inquest is held, for each kilometre of necessary travel by private automobile between the person's residence and the place where the inquest is held, an allowance in accordance with Schedule 11 (Kilometre Allowances). O. Reg. 292/86, s. 4.

Schedule 8

JURORS

1. For each day of attendance at an inquest after the tenth day, up to and including the forty-ninth day, a fee of ..... $ 50.00

2. For each day of attendance at an inquest after the forty-ninth day, a fee of 100.00

3. If an inquest begins before the 31st day of December, 1990 and continues on or after that day, for each of the first ten days of the inquest that a juror attends on or after the 31st day of December, 1990, a fee of . 10.00

4. For each kilometre of necessary travel by private automobile between the juror's place of residence and the place where the inquest is held, an allowance in accordance with Schedule 11 (Kilometre Allowances), but where the inquest is held in the locality in which the juror resides, a total allowance of $3.

5. Where a juror is required to attend the inquest on more than one day and it is reasonable that the juror return to his or her place of residence at night, the allowance mentioned in paragraph 4 is payable in respect of each day's attendance.

6. Where a juror resides elsewhere than the place where the inquest is held and in the opinion of the coroner it is desirable that the juror remain overnight at such place, an amount equal to the amount reasonably and actually paid by the juror for overnight accommodation.

7. Where an inquest continues past one-half day and in the opinion of the coroner it is desirable that a juror be reimbursed the cost of a meal, an amount equal to the amount reasonably and actually paid by the juror for the meal.

8. If in special circumstances a juror incurs expenses, other than travel, accommodation or meal expenses, related to his or her attendance at an inquest, an allowance in respect of the expenses in such amount as is approved by the Chief Coroner. R.R.O. 1980, Reg. 185, Sched. 8; O. Reg. 533/82, s. 4; O. Reg. 292/86, s. 5; O. Reg. 611/88, s. 6; O. Reg. 609/89, s. 3; O. Reg. 687/90, s. 5.

Schedule 9

WITNESSES

1. For each day of attendance of an expert witness, including the medical practitioner who performed the *post mortem* examination of the body, such fee not exceeding $200 as the coroner considers proper or such greater fee as the Chief Coroner approves if,

in his or her opinion, the greater fee is justified having regard to the special circumstances of the case.

2. For each kilometre of necessary travel by private automobile between the place of residence of the witness and the place where the inquest is held, an allowance in accordance with Schedule 11 (Kilometre Allowances), but where the inquest is held in the locality in which the witness resides, a total allowance of $3.

3. Where a witness actually, reasonably and necessarily travels by a means other than by private automobile, an amount equal to the amount of the fare actually, reasonably and necessarily paid for the transportation from his or her place of residence to the place where the inquest is held and return.

4. Where a witness is required to attend the inquest on more than one day and it is reasonable that the witness returns to his or her place of residence at night, the allowance mentioned in paragraph 2 or 3, as the case may be, is payable in respect of each day's attendance.

5. Where a witness resides elsewhere than the place where the inquest is held and in the opinion of the coroner it is desirable that the witness remain overnight at such place, an amount equal to the amount reasonably and actually paid by the witness for overnight accommodation.

6. Where a witness is required to attend the inquest past one-half day and in the opinion of the coroner it is desirable that the witness be reimbursed the cost of a meal, an amount equal to the amount reasonably and actually paid by the witness for the meal.

7. If in special circumstances a witness incurs expenses, other than travel, accommodation or meal expenses, related to his or her attendance at an inquest, an allowance in respect of the expenses in such amount as is approved by the Chief Coroner. R.R.O. 1980, Reg. 185, Sched. 9; O. Reg. 533/82, s. 5; O. Reg. 302/84, s. 2; O. Reg. 292/86, s. 6; O. Reg. 589/86, s. 1; O. Reg. 521/87, s. 2; O. Reg. 611/88, s. 7; O. Reg. 609/89, s. 4; O. Reg. 687/90, s. 6.

Schedule 10

POST MORTEM EXAMINATIONS, ETC.

1. For a *post mortem* examination by a legally qualified medical practitioner on or after the 1st day of December, 1990, including necessary microscopic sections to prove diagnosis and including the services of an assistant when necessary, a fee of $460.00

2. For any other examination or analysis, such fee not exceeding $50 as the coroner considers proper or such greater fee as the Chief Coroner may in special circumstances approve.

3. For the use of facilities for *post mortem* examination in a hospital or other place, for each *post mortem* examination, a fee of 50.00

4. The fee mentioned in paragraph 1 or 3 may be increased by the Chief Coroner to such amount as he or she considers appropriate where, in his or her opinion, the increase is justified having regard to the special circumstances of the case.

5. For transporting, on or after the 1st day of December, 1990, a dead body for further investigation on the authorization of the coroner, the greater of,

   i. a fee of $84, and

   ii. an allowance for necessary travel to pick up the body, deliver the body and return to the place of origin, calculated at the rate of,

      A. $1.22 for each kilometre in southern Ontario, and

      B. $1.27 for each kilometre in northern Ontario.

6. If more than one dead body is transported on the same trip for further investigation on the authorization of the coroner, a fee of $24 for each additional body.

7. For waiting time in excess of one-half hour necessarily incurred in connection with the transportation of a dead body or bodies for further investigation on the authorization of the coroner, a fee of $24 per hour.

8. Where it is necessary to transport a dead body by a means other than a motor vehicle, or where transportation by a means other than a motor vehicle is more economical, an amount equal to the amount actually, reasonably and necessarily paid for the transportation of the dead body.

9. The fee mentioned in paragraph 5 may be increased by the Chief Coroner if, in the opinion of the Chief Coroner, the increase is justified having regard to the special circumstances of the case.

10. For each kilometre of necessary travel by private automobile by a legally qualified medical practitioner in connection with an examination or analysis, an allowance in accordance with Schedule 11 (Kilometre Allowances). O. Reg. 521/87, s. 3; O. Reg. 611/88, s. 8; O. Reg. 609/89, s. 5; O. Reg. 687/90, s. 7.

Schedule 11

KILOMETRE ALLOWANCES

1. The following kilometre allowances are payable under paragraph 5 of Schedule 5, paragraph 4 of Schedule 6, paragraph 5 of Schedule 7, paragraph 4 of Schedule 8, paragraph 2 of Schedule 9 and paragraph 10 of Schedule 10:

   1. 29.5 cents per kilometre in northern Ontario.

   2. 29 cents per kilometre in southern Ontario. O. Reg. 609/89, s. 6.

Form 1

Coroners Act

WARRANT TO TAKE POSSESSION OF THE BODY OF A DECEASED PERSON

I issue this warrant to take possession of the body of .....

now at .....

Dated this ..... day of ....., 19.....,

at .....

.....
Coroner

for Area No. .....

R.R.O. 1980, Reg. 185, Form 1.

Form 2

Coroners Act

WARRANT TO BURY THE BODY OF A DECEASED PERSON

I issue this warrant to bury the body of .....

who died at ..... on ....., 19.....

Dated this ..... day of .....,

19....., at .....

.....
Coroner

for Area No. .....

NOTE: This is not a burial permit under the *Vital Statistics Act*. A burial permit under that Act is also required.

R.R.O. 1980, Reg. 185, Form 2.

Form 3

Coroners Act

CORONER'S INVESTIGATION STATEMENT (WHERE INQUEST UNNECESSARY)

I, ... a coroner

for Area No. ..... state that:

1. I have investigated the death of

surname (please print)

given name (please print)

aged ....., reported to me on the ..... day of .....,

19.....

2.—(1) The result of my investigation is as follows:

(i) date of death: .....

(ii) place of death: .....

(iii) cause of death: .....

(iv) by what means: .....

.....

(2) Relevant *post mortem* examination findings and analyses:

.....

.....

.....

....
Date Coroner

R.R.O. 1980, Reg. 185, Form 3.

Form 4

Coroners Act

WARRANT FOR HOLDING AN INQUEST

To: .....

I direct you to summon five persons qualified to serve as jurors to appear before me at ..... on the ..... day of ....., 19..... at ..... o'clock in the ..... noon at an inquest into the death of .....

And I direct you to appear before me at that time and place and to make a return of those you have summoned.

And I further direct you to notify the next-of-kin of the deceased person of the date, time and place of the inquest and also the following persons who may be substantially and directly interested in the inquest:

1. .....

2. .....

3. .....

4. .....

Dated this ..... day of .....,

19....., at .....

.....
Coroner

for Area No. .....

R.R.O. 1980, Reg. 185, Form 4.

Form 5

Coroners Act

CORONER'S INVESTIGATION STATEMENT (WHERE INQUEST TO BE HELD)

I, ... a coroner

for Area No. ....., state that:

1. I have investigated the death of

surname

given name

aged ..... reported to me on the ..... day of .....,

19.....

2.—(1) The result of my investigation is as follows:

(i) date of death: .....

(ii) place of death: .....

(iii) cause of death: .....

(iv) by what means: .....

.....

(2) Relevant *post mortem* examination findings and analyses:

.....

.....

.....

3. My investigation revealed the following additional information:

.....

.....

.....

.....

.....

.....

.....

.....

4. The grounds upon which I determined that an inquest should be held are as follows:

.....

.....

.....

.....

.....

....

Date Coroner

for Area No. .....

R.R.O. 1980, Reg. 185, Form 5.

Form 6

Coroners Act

WARRANT FOR *POST MORTEM* EXAMINATION

To: ....., a legally qualified medical practitioner.

I direct that a *post mortem* examination be made by you of the body of ..... and that the following special examinations or analyses be made by you:

Case History:

Dated this ..... day of ....., 19.....,

at .....

.....

Coroner

for Area No. .....

R.R.O. 1980, Reg. 185, Form 6.

Form 7

Coroners Act

WARRANT FOR THE PROVISION OF NAMES FROM THE JURY ROLL

To: .....

SHERIFF

I direct that you provide to me from the jury roll prepared under the *Juries Act*, the names of ..... persons, together with their ages, places of residence, occupations and respective numbers on the jury roll, required for service as jurors at an inquest or inquests to be held in the .....

(municipality)

Dated at ..... this ..... day of ....., 19.....

.....

Coroner

R.R.O. 1980, Reg. 185, Form 7.

Form 8

Coroners Act

SHERIFF'S LIST OF NAMES PROVIDED FROM THE JURY ROLL

To: .....

CORONER

In compliance with your warrant dated .....,

19....., requiring the names of ..... persons for service as jurors at an inquest or inquests, I submit the following list of names taken from the jury roll prepared under the *Juries Act*:

Name	Place of Residence	Age	Occupation	Jury Roll Number

.....

Sheriff

for .....

Dated at ..... this ..... day of ....., 19.....

NOTE: If more space is required, attach hereto a separate sheet or sheets, each of which must carry the signature of the sheriff.

R.R.O. 1980, Reg. 185, Form 8.

Form 9

Coroners Act

SUMMONS TO SERVE AS A JUROR ON AN INQUEST

Re: ....., deceased

To: .....

.....

.....

Pursuant to a warrant issued by ....., coroner, you are hereby summoned and required to attend as a juror at ..... on the ..... day of ....., 19....., at ..... o'clock in the ..... noon, at an inquest into the death of .....

Dated this ..... day of ....., 19.....,

at .....

.....
Constable

NOTE: If you fail to attend at the inquest at the time and place specified, without lawful excuse, you are liable to punishment by the Divisional Court in the same manner as if for contempt of that Court.

R.R.O. 1980, Reg. 185, Form 9, *revised*.

Form 10

Coroners Act

NOTICE OF HOLDING OF INQUEST

Re: ....., deceased

To: .....

.....

.....

Take notice that an inquest will be held at ..... on the ..... day of ....., 19....., at ..... o'clock in the ..... noon into the death of .....

And take notice that you may attend at the inquest and that if you have not been designated as a person with standing at the inquest you may apply, either before or during the inquest, to the coroner to designate you as a person with standing at the inquest.

....
Date Constable

R.R.O. 1980, Reg. 185, Form 10.

Form 11

Coroners Act

RETURN OF CONSTABLE

Re: ....., deceased

I, ... of ..... state that:

1. Pursuant to the warrant for holding an inquest issued by ....., a coroner for Area No. ....., on the ..... day of ....., 19....., the following persons were summoned by me to attend on the ..... day of ....., 19..... at ..... o'clock in the ..... noon as jurors at this inquest.

	Name	Address	Occupation
(a)	.....	.....	.....
(b)	.....	.....	.....
(c)	.....	.....	.....
(d)	.....	.....	.....
(e)	.....	.....	.....

2. I believe that each person so summoned is qualified to serve as a juror.

3. The following next-of-kin of the deceased person have been notified of the date, time and place of the inquest:

	Name	Address	Relationship to Deceased
(a)	.....	.....	.....
(b)	.....	.....	.....
(c)	.....	.....	.....

4. The following persons who have been designated as persons with standing at the inquest or who may be substantially and directly interested in the inquest have also been notified of the date, time and place of the inquest:

	Name	Address
(a)	.....	.....
(b)	.....	.....
(c)	.....	.....
(d)	.....	.....

....
Date Constable

R.R.O. 1980, Reg. 185, Form 11.

Form 12

Coroners Act

VERDICT OF CORONER'S JURY

We, ... of .....

..... of .....

..... of .....

..... of .....

..... of .....

the jury serving on the inquest into the death of

surname

given name

aged ....., held at ..... on the .....

day of ....., 19....., by .....

coroner for Area No. ....., having been duly sworn, have inquired into and determined the following:

1. Name of deceased: .....
2. Date and time of death: .....
3. Place of death: .....
4. Cause of death: .....
5. By what means: .....

.....

We wish to make the following recommendations:

) .....
) Foreman
)
) .....
)
Signatures of Jurors) .....
)
) .....
)
) .....

This verdict was received by me this ..... day of .....,

19.....

.....
Coroner

for Area No. .....

R.R.O. 1980, Reg. 185, Form 12.

Form 13

Coroners Act

NOTICE OF HOLDING OF INQUEST

Re: ....., deceased

To: .....

Crown Attorney,

.....

.....

Take notice that an inquest will be held into the death of

....., on the ..... day of ....., 19.....,

at ..... in the ..... noon at .....

....
Date Coroner

for Area No. .....

R.R.O. 1980, Reg. 185, Form 13.

Form 14

Coroners Act

REPORT OF *POST MORTEM* EXAMINATION

1.—(1) Made upon the body of .....

at ..... in the .....

of ..... in the Province of Ontario,

on the ..... day of ....., 19.....,

about ..... after death.

(2) Time examination commenced.....

(3) Required by coroner, Dr.....

2. IDENTIFICATION:

The body was identified to me by .....

in the presence of .....

3.—(1) EXTERNAL EXAMINATION:

Description of the body.

Length ..... Weight ..... Sex ..... Temp. .....

Apparent Age ..... Hair ..... Eyes .....

Pupils ..... How nourished .....

Skin (cyanosis, scars, etc.) .....

Rigor Mortis .....

Post Mortem Staining .....

Decomposition .....

Clothing and effects .....

(2) EXTERNAL MARKS OF VIOLENCE:

.....

4. INTERNAL EXAMINATION:

(a) Chest

Diaphragm .....

Pleural cavities .....

Pericardium .....

Mediastinum .....

(b) Face and Neck

Mouth ..... Nose .....

Pharnyx ..... Tongue .....

Hyoid Bone .....

Thymus (weight) .....

Thyroid (weight) .....

(c) Respiratory System

Larynx .....

Trachea ..... Bronchi .....

Pulmonary Pleura .....

Pulmonary Vessels .....

Right Lung (weight) .....

Left Lung (weight) .....

(d) Circulatory System

Heart (size and weight) .....

Auricles (size contents) .....

Ventricles (size contents) .....

Tricuspid Valve .....

Pulmonary Valve .....

Aortic Valve .....

Mitral Valve .....

Myocardium .....

Coronary Vessels .....

Aorta and large vessels .....

Character of Blood in heart and vessels .....

(e) Gastro-Intestinal System

Oesophagus .....

Stomach and contents .....

Intestine (and Appendix) .....

Liver (size, weight and character) .....

.....

Gall Bladder .....

Spleen (size and weight) .....

Pancreas (weight) .....

Mesenteric Lymph nodes .....

(f) Genito-Urinary System

Adrenals (with weight) .....

Urinary Bladder .....

Kidney and ureters .....

Right .....

Left .....

Prostate .....

Urethra .....

Testes and epididymides .....

Vagina and Vulva .....

Uterus .....

Tubes and Ovaries .....

(g) Head, Skull and Osseous System

Scalp .....

Meninges and Blood vessels .....

Skull (with thickness) .....

Middle ears and Sinuses .....

Remainder of Osseous System .....

.....

(h) Nervous System

Brain (with weight) .....

Hemispheres .....

Ventricles .....

Pons .....

Cerebellum .....

Medulla .....

Pituitary Body ..... Pineal Body .....

Spinal Cord .....

Remainder of Nervous System .....

.....

.....

5. MICROSCOPIC AND LABORATORY FINDINGS (IN BRIEF)

.....

.....

.....

6. X-RAY FINDINGS (IN BRIEF)

.....

.....

.....

.....

7. SUMMARY OF ABNORMAL FINDINGS

.....

.....

.....

.....

8. CAUSE OF DEATH

I hereby certify that I have examined this body, have opened and examined the above noted cavities and organs as indicated, and that in my opinion the cause of death was:

.....

.....

.....

.....

9. SUPPLEMENTARY SPACE (FOR EXTENDED DESCRIPTIONS)

.....

.....

.....

.....

.....

.....

....
Date Pathologist

Address: .....

.....

NOTE:

1. In the case of organs not examined, write the notation, "not examined" in the appropriate space.

2. Describe injuries by continuity.

3. If more space is required, for the detailed description of important conditions, use the space indicated above, or attach hereto a separate sheet giving the number of the paragraph to which reference is made.

4. Each separate sheet must carry the signature of the pathologist.

5. Average weight and size of normal organs in adults:

		Male	Female
(i)	Brain	1450 gms (50 oz)	1250 gms (45 oz)
(ii)	Lungs—		
	Right	625 gms (22 oz)	500 gms (18 oz)
	Left	565 gms (20 oz)	425 gms (15 oz)
(iii)	Liver	1450 gms (50 oz)	1275 gms (45 oz)
(iv)	Spleen	150 gms (5½ oz)	140 gms (5 oz)
(v)	Kidney	145 gms (5 oz)	145 gms (5 oz)
(vi)	Pancreas	90 gms (3 oz)	85 gms (3 oz)
(vii)	Heart	325 gms (11 oz)	275 gms (9 oz)

(viii) Cardiac Valves circumferences:

Tricuspid 4 inches—admits 3 fingers
Mitral 3¾ inches—admits 3 fingers
Aortic 2⅔ inches
Pulmonary 2⅞ inches

R.R.O. 1980, Reg. 185, Form 14.

Form 15

Coroners Act

AFFIDAVIT OF SERVICE

I, ..., of the .....

of ..... in the .....

of .....

.....
(occupation)

make oath and say that I did on the .....

day of ....., 19....., serve .....
with a true copy of the attached summons,

Strike out inapplicable Clause

*(a) by delivering the same to and leaving the same with the said .....

at .....;
or

*(b) by sending the same by registered mail addressed to the usual place of abode of the said .....

at .....

Sworn before me this .....
day of ....., 19...,
at the ..... of .....
in the ..... of .....
.....
A Commissioner, etc.

.....

R.R.O. 1980, Reg. 185, Form 15.

Form 16

Coroners Act

CERTIFICATE FOR SHIPMENT OF BODY OUTSIDE ONTARIO

RE: ....., deceased.

I, ...,
coroner, do certify that I have investigated the death of ..... aged ....., now lying at .....,
in the ..... of .....,
in the Province of Ontario and that there exists no reason for further examination of the body. The cause of death is as follows:

.....

....
Date Coroner

.....
Address

.....
Telephone Number

NOTE: The completion of this Form in no way obviates the requirements of the *Vital Statistics Act*. The death must be registered and a Burial Permit obtained.

If the body is not free of communicable disease, the death must be reported to the local medical officer of health.

R.R.O. 1980, Reg. 185, Form 16.

Reg./Règl. 181

Corporations Act
Loi sur les personnes morales

REGULATION 181

GENERAL

NAMES

1.—(1) The following documents shall accompany any application for letters patent, supplementary letters patent, revival under section 317 of the Act, an extra-provincial licence or an amended extra-provincial licence containing a proposed name for a corporation or a change of corporate name:

1. An original Ontario biased or weighted computer printed search report for the same name as the proposed name from the new updated automated name search system (NUANS) owned by the Department of Consumer and Corporate Affairs, Canada, dated not more than ninety days before the submission of the application.

2. Any consent or consent and undertaking required by the Act or by the Minister.

(2) A computer printed search report referred to in subsection (1) shall accompany an application for the reservation of a name.

(3) The computer printed search report referred to in subsections (1) and (2) is not required where the application is for letters patent, supplementary letters patent, reservation of a name or revival for a corporation incorporated under Part III of the Act if incorporation is required by a government authority as a condition to the awarding of financial assistance under a government program. O. Reg. 152/82, s. 1.

2.—(1) Where, at the expiration of the period for which a name has been reserved, no corporation under that name or a similar name has been incorporated, the name or a similar name shall not be reserved until after one year from the date of expiry.

(2) No name that is identified in a computer printed search report as "Ontario proposed" shall be used as a corporate name by a person other than the one who proposed the name unless a consent in writing has been obtained from the person who first proposed the name. O. Reg. 152/82, s. 2.

3.—(1) The following words and expressions shall not be used in a corporate name:

1. "Amalgamated", unless the corporation is an amalgamated corporation resulting from the amalgamation of two or more corporations.

2. "Association", or any other word or expression that denotes that the corporation is a representative body, unless two thirds of those persons represented by the corporate name will be members of the corporation.

3. "College", "institute" or "university", except with a consent in writing on behalf of the Ministry of Colleges and Universities.

4. "Engineer" or "engineering" or any variation thereof, except with the consent in writing of the Association of Professional Engineers of the Province of Ontario.

5. "Housing", unless the corporation is owned by, sponsored by, or connected with, the Government of Canada, the Government of Ontario or a municipal government in Ontario.

6. "Royal", where used as a prefix, unless the consent of the Crown has been obtained through the Secretary of State.

7. Numerals indicating the year of incorporation, unless the proposed corporation is the successor to a corporation the name of which is the same as or similar to the proposed corporation, or the year is the year of amalgamation of the corporation.

8. Any word or expression that would lead to an inference that the corporation is a business corporation.

(2) The name of a fraternal society incorporated under section 176 of the Act shall include the words "fraternal society".

(3) The name of a pension fund or employees' mutual benefit society incorporated under section 185 of the Act shall include the words "pension fund society" or "employees' mutual benefit society", as the case may be, and the name in whole or in part of the parent corporation.

(4) Where the name of a corporation includes the word "veteran" or any abbreviation or derivation thereof, the letters patent of the corporation shall provide that at all times at least 95 per cent of the members of the corporation shall be composed of war veterans, their spouses, or children, unless the name has been in continuous use for at least twenty years.

(5) In subsection (4), "war veteran" means a person who served in the armed forces of any country while that country was in a state of war. O. Reg. 152/82, s. 3.

4. Where two or more corporations amalgamate, the name of the amalgamated corporation may be the same as the name of one of the amalgamating corporations if the name is not a number name. O. Reg. 152/82, s. 4.

5. Unless the proposed corporate name has been in continuous use for at least twenty years before the date of filing the application, or unless the proposed corporate name has through use acquired a meaning that renders the name distinctive, a corporate name shall not be,

(a) too general;

(b) primarily or only a given name or surname used alone of an individual who is living or has died within thirty years preceding the date of filing an application for letters patent or supplementary letters containing the name;

(c) primarily or only a geographic name used alone. O. Reg. 152/82, s. 5.

6.—(1) A corporate name shall not contain a word or expression, an element of which is the family name of a particular individual, who is living or who has died within the previous thirty years whether or not preceded by a given name or initials, unless the individual, his or her heir, executor, administrator, assigns or guardian consents in writing to the use of the name.

(2) Subsection (1) does not apply where the corporation that will use the proposed name is the successor or affiliate of another corporation that has, as an element of its name, the family name, if,

(a) the other corporation consents in writing to the use of the name; and

(b) where the proposed name would contravene clause 13 (1) (a) of the Act, the other corporation undertakes in writing to dissolve itself or to change its name to a name that complies with clause 13 (1) (a) of the Act within six months after the incorporation of the new corporation. O. Reg. 152/82, s. 6.

(3) Subsection (1) does not apply where,

(a) the required consent cannot be obtained; and

(b) the family name is of historic or patriotic significance and has a connection with the objects of the corporation. O. Reg. 779/84, s. 1.

7. A corporate name shall not contain any word or expression in any language that describes in a misleading manner the activities or services in association with which the corporate name is proposed to be used. O. Reg. 152/82, s. 7.

8.—(1) Only letters from the Roman alphabet or Arabic numerals or a combination thereof, and punctuation marks and other marks set out in subsection (2), may form part of the name of a corporation.

(2) The following punctuation marks and other marks are permitted as part of a corporate name:

! " # $ % & ' ( )* + , —

./ : ; < = > ? [ ] |^

(3) A corporate name shall not consist only or primarily of a combination of marks set out in subsection (2) and at least the first three characters of the corporate name shall be letters from the Roman alphabet or Arabic numerals or a combination thereof. O. Reg. 152/82, s. 8.

9. The name of a corporation shall,

(a) not exceed 120 characters in length, including punctuation marks and spaces; and

(b) be set out in block capital letters in every application filed under the Act. O. Reg. 152/82, s. 9.

CAPITAL

10. Where preference shares of a class have attached thereto conditions, restrictions, limitations or prohibitions on the right to vote, the preferences, rights, conditions, restrictions, limitations or prohibitions attaching to that class of preference shares shall provide that the holders of that class are entitled to notice of any meeting of shareholders called for the purpose of authorizing the dissolution of the company or the sale of its undertaking or a substantial part thereof. O. Reg. 152/82, s. 10.

OBJECTS

11.—(1) Where the objects of a corporation, other than a corporation commonly known as a service club, are in whole or in part of a social nature, the letters patent or supplementary letters patent of the corporation shall restrict the location of either or both,

(a) its activities; or

(b) its clubhouse or premises.

(2) An application for incorporation of a corporation shall not propose objects that are in whole or in part of a social nature unless the proposed corporation is,

(a) a service club; or

(b) a successor to an organization that has been in existence for at least one year before the date of the application or for such other period of time as the Minister considers sufficient as evidence that the proposed corporation will fulfill its objects.

(3) Where the objects of a corporation are in whole or in part of a social nature, the letters patent or supplementary letters patent of the corporation shall contain the following terms:

1. The corporation is prohibited from occupying and using a house, room, or place as a club, which, except for the provisions of paragraphs 197 (2) (a) and (b) of the *Criminal Code* (Canada), would be a common gaming house within the meaning of "common gaming house" as appears under subsection 197 (1) of the *Criminal Code* (Canada); and if it is made to appear to the satisfaction of the Minister that the corporation purports to so use a house, room, or place, these Letters Patent may be cancelled by and in the discretion of the Lieutenant Governor;

2. If it is made to appear to the satisfaction of the Minister that the premises occupied by the corporation are equipped, guarded or otherwise constructed or operated so as to hinder or prevent lawful access to and inspection of such premises by police or fire officers or are found fitted or provided with any means or contrivance for playing any game of chance or any mixed game of chance and skill, gaming or betting or with any device for concealing, removing or destroying such means or contrivance, these Letters Patent may be cancelled by and in the discretion of the Lieutenant Governor. O. Reg. 152/82, s. 11.

12.—(1) Where the proposed objects of a corporation include horse racing, the application for letters patent or supplementary letters patent shall be accompanied by the consent in writing of the Ontario Racing Commission.

(2) The proposed objects of a corporation shall not include dog racing, but may include the breeding of racing dogs. O. Reg. 152/82, s. 12.

MISCELLANEOUS

13. Where the letters patent or supplementary letters patent of a corporation provide that the directors of the corporation shall be elected for a term of more than one year, the term shall be an integral number of years, not exceeding five. O. Reg. 152/82, s. 13.

14. The letters patent or supplementary letters patent of a private company may provide that an application for an order accepting the surrender of the charter of the company may be authorized at a general meeting of its shareholders duly called for that purpose by a majority of the votes cast at the meeting or by at least 50 per cent of the votes of all shareholders entitled to vote at the meeting. O. Reg. 152/82, s. 14.

15.—(1) A notice of a by-law passed under section 132 of the Act to be filed with the Minister shall be signed manually by a director or officer of the corporation.

(2) A notice of resolution requiring the voluntary winding up of a corporation required to be filed with the Minister under subsection 231 (1) of the Act shall be signed manually by a director or officer of the corporation or by the liquidator.

(3) A notice required to be filed by a liquidator with the Minister under subsection 266 (2) of the Act shall be signed manually by the liquidator.

(4) A notice of a special resolution of a corporation to be filed with the Minister changing the location of its head office, or increasing or decreasing the number of its directors, shall be signed manually by a director or officer of the corporation.

(5) A notice signed by an agent or attorney on behalf of a director or officer of a corporation or a liquidator is not a notice signed manually by the director, officer or liquidator. O. Reg. 152/82, s. 15.

FORM OF DOCUMENTS

16.—(1) All documents delivered to or filed with the Minister including all affidavits, applications, assurances, balance sheets, by-laws, consents, dissents, notices and statements shall be printed, typewritten or reproduced legibly, in a manner suitable for photographing on microfilm, on one side of good quality white paper that is,

(a) 210 millimetres by 297 millimetres with a margin of 30 millimetres on the left-hand side; or

(b) 8½ inches by 11 inches, with a margin of 1¼ inches on the left-hand side.

(2) A document consisting of two or more pages shall have no backing or binding and shall be stapled in the upper left-hand corner and each page shall be numbered consecutively.

(3) Where a form is provided by the Minister, the form or a facsimile of the form reproduced on good quality white paper of the size set out in subsection (1) shall be used. O. Reg. 152/82, s. 16.

FORMS

17. An application for incorporation of a company shall be in Form 1 in duplicate. O. Reg. 152/82, s. 17.

18. An application for incorporation of a corporation without share capital shall be in Form 2 in duplicate. O. Reg. 152/82, s. 18.

19.—(1) An application for supplementary letters patent shall be in Form 3 in duplicate.

(2) Where an application for supplementary letters patent is made under clause 34 (1) (b) of the Act or under clause 131 (1) (b) of the Act, the application shall contain a statement that the corporation is not insolvent within the meaning of subsection (4).

(3) Where the application is one to which section 35 of the Act applies, the application shall contain a statement that the corporation is not insolvent and, after the issue of the supplementary letters patent, will not be insolvent within the meaning of subsection (4).

(4) For the purposes of this section, a corporation is insolvent if its liabilities exceed the realizable value of its assets or if the corporation is unable to pay its debts as they become due. O. Reg. 152/82, s. 19.

20. An application for the Minister's consent to a change of premises under subsection 278 (1) of the Act shall be in Form 4 in duplicate. O. Reg. 152/82, s. 20.

21.—(1) An application by a corporation for an order under subsection 304 (3) of the Act to permit the removal of records from the head office of the corporation shall be in Form 5 in duplicate.

(2) Where an application under subsection (1) is to remove the records of a corporation to a place outside Ontario, it shall be accompanied by,

(a) a bond of a guarantee company within the meaning of the *Guarantee Companies Securities Act* to the Treasurer of Ontario in Form 6; and

(b) a power of attorney in Form 7 duly executed under the seal of the corporation appointing an individual resident in Ontario, or a corporation having its head office in Ontario, to be the attorney and representative in Ontario of the corporation and the consent of the attorney to act as such. O. Reg. 152/82, s. 21.

22. An application under subsection 304 (5) of the Act, for an order rescinding an order made under subsection 304 (3) of the Act to remove records from the head office of the corporation, shall be in Form 8 in duplicate. O. Reg. 152/82, s. 22.

23.—(1) An application for an order accepting the surrender of a charter of a corporation under subsection 319 (1) of the Act or for an order terminating the existence of a corporation under section 320 of the Act shall be in Form 9 in duplicate.

(2) An application referred to in subsection (1) shall be accompanied by,

(a) the letters patent and supplementary letters patent, if any, of the corporation and any documents amending the letters patent of the corporation and, where any of them are lost or cannot be located, an affidavit by a director or officer of the corporation to that effect and an undertaking by the officer or director to return them to the Minister if they are found at any time in the future;

(b) in the case of a company, a consent from the Corporations Tax Branch of the Ministry of Revenue; and

(c) in the case of a company that is a reporting issuer under the *Securities Act*, a consent from the Ontario Securities Commission.

(3) Where a shareholder or member is unknown or the shareholder's or member's whereabouts is unknown and the corporation has delivered or conveyed the shareholder's or member's share of the property to the Public Trustee to be held in trust for the shareholder or member or where a creditor is unknown or his, her or its whereabouts is unknown and the corporation has paid to the Public Trustee an amount equal to the amount of the debt due to the creditor to be held in trust for the creditor, the application shall set out a statement to that effect. O. Reg. 152/82, s. 23.

24.—(1) An application for an order to revive a dissolved corporation under subsection 317 (10) of the Act shall be in Form 10 in duplicate.

(2) An application referred to in subsection (1) shall be accompanied by,

(a) a statement in writing by the Public Trustee that he or she has no objection to the revival of the corporation; and

(b) in the case of a company, a consent from the Corporations Tax Branch of the Ministry of Revenue to the revival of the corporation. O. Reg. 152/82, s. 24.

25. An application for letters patent of amalgamation shall be in Form 11. O. Reg. 152/82, s. 25.

CONTINUATION

26. An application for letters patent for continuation in Ontario under section 312 of the Act shall be in Form 12 in duplicate. O. Reg. 152/82, s. 30.

27. An application for authorization to transfer to another jurisdiction under section 313 of the Act shall be in Form 13 in duplicate. O. Reg. 152/82, s. 31.

INSIDER REPORTING

28. A report required to be filed by an insider under subsections 73 (1) and (2) of the Act shall be prepared in accordance with Form 14. O. Reg. 152/82, s. 32.

29. A report of subsequent changes required to be filed by an

insider under subsection 73 (3) of the Act shall be prepared in accordance with Form 15. O. Reg. 152/82, s. 33.

INFORMATION CIRCULAR

30.—(1) An information circular shall be prepared in accordance with Form 16.

(2) The information required by Form 16 shall be given as of a date specified in the circular, which date shall be a date occurring not more than thirty days before the date on which the information circular is first sent to any shareholders of the corporation.

(3) The information contained in an information circular shall be clearly presented and the statements contained therein shall be divided into groups according to subject-matter and each group of statements shall be preceded by an appropriate heading.

(4) The order of items set out in Form 16 need not be followed.

(5) Where practicable and appropriate, the information required by Form 16 shall be presented in tabular form.

(6) All amounts required by Form 16 shall be stated in figures.

(7) Information required to be set out under more than one item in Form 16 need only be set out under one of the items.

(8) No statement need be made in an information circular that an item is inapplicable and answers to items that are inapplicable may be omitted.

(9) Information that is not known by or is unavailable to the person on whose behalf an information circular is prepared and that is not reasonably within the power of that person to ascertain or obtain may be omitted from the information circular if a brief statement is made in the information circular indicating the reasons why the information is not known or is unavailable.

(10) An information circular prepared for a meeting need not contain any information contained in any other information circular, notice of meeting or form of proxy sent to a person whose proxies are being solicited for the same meeting if reference is made in the information circular to the document that contains the information. O. Reg. 152/82, s. 34.

31. Every person who sends or delivers to shareholders an information circular or proxy to which sections 83 to 89 of the Act apply in respect of a meeting of shareholders of a company shall forthwith file with the Ontario Securities Commission a copy of the information circular, proxy and all other material sent or delivered by the person in connection with the meeting. O. Reg. 152/82, s. 35.

BENEFICIAL OWNERSHIP OF SHARES

32.—(1) For the purposes of section 73 of the Act, a report filed by a company that includes a statement of capital securities beneficially owned or deemed to be beneficially owned by a subsidiary of the company under clause 72 (2) (c) of the Act or that includes a statement of changes in the subsidiary's beneficial ownership of capital securities shall be deemed to be a report filed by the subsidiary and the subsidiary need not file a separate report.

(2) For the purposes of section 73 of the Act, a report filed by an individual that includes a statement of capital securities beneficially owned or deemed to be beneficially owned under clause 72 (2) (b) of the Act by a company controlled by the individual or by an affiliate, if any, of the controlled company or that includes a statement of changes in the beneficial ownership of the capital securities of the controlled company or affiliate shall be deemed to be a report filed by the controlled company or by the affiliate and the controlled company and the affiliate need not file a separate report. O. Reg. 152/82, s. 36.

FEES

33. The fees set out in the Schedule to this Regulation shall be paid to the Treasurer of Ontario, upon the filing, examination or copying of a document or before the Minister takes the action for which the fee is prescribed, as the case may be.

34.—(1) Where a fee is paid under item 13 of the Schedule for a search requested in person, the Minister may produce for examination the original documents on file, in which case no diazo or microfilm copy of the documents will be supplied.

(2) Where a cheque is tendered in payment of a fee set out in the Schedule, the name or Ontario corporation number of every corporation that is the subject of the service for which the fee is paid shall be indicated on the face of the cheque.

(3) No fee is payable on an application for an order accepting the surrender of the charter of a corporation or terminating the corporate existence of a corporation incorporated otherwise than by letters patent.

(4) No fee is payable for the filing of a document required to be filed under the Act unless a fee for the filing is set out in the Schedule. O. Reg. 152/82, s. 38.

35. No fee is payable for a search under item 13 or for any copy of a document under item 14 of the Schedule by,

(a) any ministry of the Government of Ontario, or any agency, board or commission thereof;

(b) a ministry or department of the Government of Canada or of a territory or another province of Canada that has reciprocal arrangements or an agency, board or commission of any of them; or

(c) a police department, fire department or any licensing agency of any municipality in Ontario. O. Reg. 152/82, s. 39; O. Reg. 359/89, s. 1.

36. Where a fee has been paid to the Treasurer of Ontario on an application and the application is subsequently abandoned, refused or withdrawn, the sum of $100 shall be retained and the balance, if any, refunded to the person who paid the fee or the legal representative of the person. O. Reg. 453/88, s. 2.

Schedule

FEES

1. On an application for letters patent incorporating a company or a revival of it under subsection 317 (10) of the Act	$270.00
2. On an application for authorization by the Minister under subsection 313 (1) of the Act to transfer the company under the laws of another jurisdiction	270.00
3. On an application for letters patent amalgamating companies or continuing a company under the Act	270.00
4. On an application for letters patent incorporating a corporation without share capital	130.00
5. On an application for revival of a corporation without share capital under subsection 317 (10) of the Act	130.00
6. On an application for authorization by the Minister under subsection 313 (1) of the Act to transfer a corporation without share capital under the laws of another jurisdiction	130.00

7. On an application for letters patent amalgamating corporations or continuing a corporation without share capital under the Act $130.00

8. On an application by a corporation for supplementary letters patent 105.00

9. On an application by a corporation under subsection 278 (1) of the Act 105.00

10. On an application for an order under subsection 304 (3) of the Act 105.00

11. On an application for the correction of an error in letters patent, supplementary letters patent or an order, before notice of the letters patent, or supplementary letters patent is published in *The Ontario Gazette* 160.00

12. For a search requested in person or by letter to determine if documents are on file with the Minister under the Act or a predecessor of it, including purchase of a diazo or microfilm copy of the contents of the documents, if any, for each corporation 6.00

13. For copies of letters patent, supplementary letters patent, orders or other documents on file in the Ministry under the Act or a predecessor of it $ .60 per page, with a minimum fee of $6 in respect of each corporation

14. For each copy of the first page of each document filed or issued under the Act during a specified day or days where requested in advance and no search is required 0.60

15. For certification of a diazo, microfilm or paper copy of letters patent, supplementary letters patent, order or other documents on file under the Act or a predecessor of it, for each corporation searched 21.00

16. For a certificate, for each corporation 21.00

O. Reg. 152/82, s. 37; O. Reg. 674/82, s. 2; O. Reg. 677/83, s. 1; O. Reg. 200/84, s. 1; O. Reg. 668/84, s. 1; O. Reg. 42/85, s. 4; O. Reg. 116/85, ss. 1, 2; O. Reg. 682/85, s. 1; O. Reg. 160/87, s. 1; O. Reg. 217/87, s. 2; O. Reg. 453/88, s. 1; O. Reg. 361/90, s. 1.

Form 1
Formule 1

Corporations Act
Loi sur les personnes morales 1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

Trans Code	Line No.	Stat	Comp Type	Method Incorp
A	0	0	A	1
18	20	28	29	30

Share	Notice Req'd	Jurisdiction
S	N	ONTARIO
31	32	33 47

Form 1 Corporations Act
Formule 1 Loi sur les personnes morales

APPLICATION FOR INCORPORATION OF A COMPANY
REQUÊTE EN CONSTITUTION D'UNE COMPAGNIE

1. Name of the company: *Dénomination sociale de la compagnie :*

2. Address of the head office of the company: *Adresse du siège social :*

.....
(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

..... (Postal Code)
(Name of Municipality or Post Office) *(Code postal)*
(Nom de la municipalité ou du bureau de poste)

3. The head office of the company is situated in: *Le siège social se trouve à :*

..... in the .....
(Name of Municipality, Geographical Township) *dans le* (County, District, Regional Municipality)
(Nom de la municipalité, canton géographique) *(Comté, district, municipalité régionale)*

4. The applicants who are to be the first directors of the company are: *Requérants appelés à devenir les premiers administrateurs de la compagnie :*

Name in full, including all given names *Nom et prénoms au complet*	Residence address, giving Street & No. or R.R. No. & Municipality or Post Office and Postal Code *Adresse personnelle y compris la rue et le numéro ou le numéro de la R.R., le nom de la municipalité ou du bureau de poste et le code postal*

5. The objects for which the company is incorporated are: *Objets pour lesquels la compagnie est constituée :*

6. The authorized capital is: *Capital autorisé :*

7. The designations, preferences, rights, conditions, restrictions, limitations or prohibitions attaching to the preference shares, if any, are: *Catégories, priorités, droits, conditions, restrictions, limitations ou interdictions attachés aux actions privilégiées, s'il y a lieu :* 2

8. The company is/is not to be a private company. *La compagnie est ou n'est pas une compagnie fermée.*

9. The restrictions, if any, on the allotment, issue or transfer of shares are: *Restrictions, s'il y a lieu, à l'attribution, à l'émission ou au transfert d'actions :*

10. The special provisions, if any, are: *Dispositions particulières, s'il y a lieu :*

11. The shares to be taken by the applicants are: *Actions devant être attribuées aux requérants :*

Applicants full names, including all given names *Noms et prénoms au complet des requérants*	Number of shares *Nombre d'actions*	Class Designation *Catégorie d'actions*	Amount to be paid *Montant à verser* $

12. The names and residence addresses of the applicants are: *Noms et prénoms et adresses personnelles des requérants :*

Name in full, including all given names *Nom et prénoms au complet*	Residence address, giving Street & No. or R.R. No. & Municipality or Post Office and Postal Code *Adresse personnelle y compris la rue et le numéro ou le numéro de la R.R., la municipalité ou le bureau de poste et le code postal*	Calling (occupation) *Profession*

This application is executed in duplicate. *La présente requête est faite en double exemplaire.*

Signatures of applicants
Signatures des requérants

O. Reg. 152/82, Form 1, *revised.*

Form 2
Formule 2

Corporations Act
Loi sur les personnes morales

1

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À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

Trans Code	Line No.	Stat	Comp Type	Method Incorp
A	0	0	B	1
18	20	28	29	30

Share	Notice Req'd	Jurisdiction
N	Y	ONTARIO
31	32	33 47

APPLICATION FOR INCORPORATION OF A CORPORATION WITHOUT SHARE CAPITAL
REQUÊTE EN CONSTITUTION D'UNE PERSONNE MORALE SANS CAPITAL-ACTIONS

Form 2 Corporations Act
Formule 2 Loi sur les personnes morales

1. Name of the corporation: *Dénomination sociale de la personne morale :*

2. The address of the head office of the corporation is: *Adresse du siège social :*

.....
(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

..... (Postal Code)
(Name of Municipality or Post Office) *(Code postal)*
(Nom de la municipalité ou du bureau de poste)

3. The head office of the corporation is situated in: *Le siège social se trouve à :*

..... in the .....
(Name of Municipality, Geographical Township) *dans le/la* (County, District, Regional Municipality)
(Nom de la municipalité, canton géographique) *(Comté, district, municipalité régionale)*

4. Address of clubhouse or similar premises (if any) is: *Adresse du local ou autre endroit utilisé aux mêmes fins, s'il y a lieu :*

.....
(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

..... (Postal Code)
(Name of Municipality or Post Office) *(Code postal)*
(Nom de la municipalité ou du bureau de poste)

5. The applicants who are to be the first directors of the corporation are: / *Requérants appelés à devenir les premiers administrateurs de la personne morale :* 2

Name in full, including all given names *Nom et prénoms au complet*	Residence address, giving Street & No. or R.R. No. & Municipality or Post Office and Postal Code *Adresse personnelle y compris la rue et le numéro ou le numéro de la R.R., le nom de la municipalité ou du bureau de poste et le code postal*

6. The objects for which the corporation is incorporated are: / *Objets pour lesquels la personne morale est constituée :*

7. The special provisions are: / *Dispositions particulières :*

8. The names and residence addresses of the applicants are: / *Noms et prénoms et adresses personnelles des requérants :*

Name in full, including all given names *Nom et prénoms au complet*	Residence address, giving Street & No. or R.R. No. & Municipality or Post Office and Postal Code *Adresse personnelle y compris la rue et le numéro ou le numéro de la R.R., la municipalité ou le bureau de poste et le code postal*	Calling (occupation) *Profession*

This application is executed in duplicate. / *La présente requête est faite en double exemplaire.*

Signatures of applicants
Signatures des requérants

O. Reg. 152/82, Form 2, *revised.*

Form 3
Formule 3

Corporations Act
Loi sur les personnes morales 1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

Trans Code
C
18

APPLICATION FOR SUPPLEMENTARY LETTERS PATENT
REQUÊTE EN VUE D'OBTENIR DES LETTRES PATENTES SUPPLÉMENTAIRES

Form 3 Corporations Act
Formule 3 Loi sur les personnes morales

1. Name of the applicant corporation: *Dénomination sociale de la personne morale requérante :*

2. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

..... (Day, Month, Year) *(jour, mois, année)*

3. The resolution authorizing this application was confirmed by the shareholders/members of the corporation on: *La résolution autorisant la présente requête a été ratifiée par les actionnaires ou les membres de la personne morale le :*

..... (Day, Month, Year) *(jour, mois, année)*

under section the *Corporations Act.* *aux termes de l'article de la* Loi sur les personnes morales.

4. The corporation applies for the issue of supplementary letters patent to provide as follows: *La personne morale demande la délivrance de lettres patentes supplémentaires qui prévoient ce qui suit :*

This application is executed in duplicate. *La présente requête est faite en double exemplaire.*

2

.....

(Name of Corporation)
(Dénomination sociale de la personne morale)

By/*Par*: .....

(Signature) (Description of Office)
(Signature) *(Fonction)*

.....

(corporate seal)
(apposer le sceau de la personne morale)

(Signature) (Description of Office)
(Signature) *(Fonction)*

O. Reg. 152/82, Form 3, *revised.*

Form 4
Formule 4

Corporations Act
Loi sur les personnes morales

1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

APPLICATION FOR THE MINISTER'S CONSENT (Section 278)
REQUÊTE EN VUE D'OBTENIR L'AUTORISATION DU MINISTRE (Article 278)

Form 4
Corporations Act
Formule 4
Loi sur les personnes morales

1. Name of the applicant corporation: *Dénomination sociale de la personne morale requérante :*

2. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

(Day, Month, Year) *(jour, mois, année)*

3. The corporation is not in default in filing any notice required under the *Corporations Information Act.* *La personne morale n'a pas omis de produire un avis exigé par la* Loi sur les renseignements exigés des personnes morales.

4. Full address or legal description of the present location of the clubhouse or similar premises of the corporation: *Adresse au complet ou description légale de l'emplacement actuel du local de la personne morale ou d'autres locaux utilisés aux mêmes fins :*

(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

(Name of Municipality or Post Office) (Postal Code)
(Nom de la municipalité ou du bureau de poste) *(Code postal)*

5. Full address or legal description of the proposed location of the clubhouse or similar premises of the corporation: *Adresse au complet ou description légale de l'emplacement proposé du local de la personne morale ou d'autres locaux utilisés aux mêmes fins :*

(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

(Name of Municipality or Post Office) (Postal Code)
(Nom de la municipalité ou du bureau de poste) *(Code postal)*

6. The corporation has been authorized to make this application by a resolution passed by the directors of the corporation at a meeting held on: *La personne morale a été autorisée à présenter cette requête par une résolution adoptée pas ses administrateurs à une réunion tenue le :*

(Day, Month, Year) *(jour, mois, année)*

7. The corporation hereby applies to the Minister to consent to the proposed change in the location of the clubhouse or similar premises of the corporation.

La personne morale requiert par la présente l'autorisation du ministre au changement proposé de l'emplacement du local de la personne morale ou d'autres locaux utilisés aux mêmes fins. 2

This application is executed in duplicate.

La présente requête est faite en double exemplaire.

.....
(Name of Corporation)
(Dénomination sociale de la personne morale)

By/*Par*: .....
(Signature) (Description of Office)
(Signature) *(Fonction)*

.....
(Signature) (Description of Office)
(Signature) *(Fonction)*

(corporate seal)
(apposer le sceau de la personne morale)

O. Reg. 152/82, Form 4, *revised.*

Form 5
Formule 5

Corporations Act
Loi sur les personnes morales

1

For Ministry Use Only
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Ontario Corporation Number
Numéro de la personne morale en Ontario

APPLICATION FOR AN ORDER PERMITTING REMOVAL OF RECORDS FROM HEAD OFFICE
REQUÊTE EN VUE D'OBTENIR UN ARRÊTÉ AUTORISANT LE RETRAIT DE DOSSIERS DU SIÈGE SOCIAL

Form 5 Corporations Act
Formule 5 Loi sur les personnes morales

1. Name of the applicant corporation: *Dénomination sociale de la personne morale requérante :*

2. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

(Day, Month, Year) *(jour, mois, année)*

3. The corporation is not in default in filing notices required under the *Corporations Information Act*. *La personne morale n'a pas omis de produire les avis exigés par la* Loi sur les renseignements exigés des personnes morales.

4. It is requested that an order under subsection 304 (3) of the *Corporations Act* be made permitting the corporation to remove the records mentioned in subsection 304 (1) of the Act from its head office and to keep them at the following address: *La requérante demande un arrêté aux termes du paragraphe 304 (3) de la* Loi sur les personnes morales *l'autorisant à retirer de son siège social les dossiers visés par le paragraphe 304 (1) de cette loi et à les conserver à l'adresse suivante :*

or at such other address within the same locale as may be determined by the board of directors of the corporation by resolution, a notice of which shall be filed, within ten days after it has been passed, with the Minister. *ou à toute autre adresse dans la même localité que peut fixer le conseil d'administration de la personne morale par résolution, avis de laquelle est produit auprès du ministre dans les dix jours de son adoption.*

5. The necessity therefor is as follows: *La présente requête se fonde sur les motifs suivants :*

6. This application has been duly authorized: *La présente requête a été dûment autorisée :*

(a) By a resolution approved by a majority of the votes cast at a general meeting of the shareholders/members of the corporation duly called for that purpose and held on *(a) Par une résolution approuvée par la majorité des voix exprimées à une assemblée générale des actionnaires ou des membres de la personne morale dûment convoquée à cette fin et tenue le*

(Day, Month, Year) *(jour, mois, année)*

or *ou*

(b) By the consent in writing of all the shareholders/members of the corporation entitled to vote at such meeting. *(b) Par le consentement écrit de tous les actionnaires ou membres de la personne morale ayant droit de vote à pareille assemblée.*

7. The corporation hereby acknowledges that it will be a condition of the order that:

(a) If requested by the Minister, the corporation will return forthwith to its head office or some other place in Ontario designated by the Minister, such of the records as may be removed.

(b) Such records will be open for examination at the head office of the corporation or some other place in Ontario designated by the Minister, by any person who is entitled to examine them and who has applied to the Minister for such examination.

La personne morale reconnait que l'arrêté sera conditionnel à ce qui suit : 2

(a) À la demande du ministre, la personne morale rapportera sans délai à son siège social, ou à tel autre endroit en Ontario désigné par le ministre les dossiers qui ont pu en être retirés.

(b) Ces dossiers pourront être consultés au siège social de la personne morale ou à tel autre endroit en Ontario désigné par le ministre par toute personne qui a droit de les consulter et qui en a fait la demande au ministre.

This application is executed in duplicate.

La présente requête est faite en double exemplaire.

.....
(Name of Corporation)
(Dénomination sociale de la personne morale)

By/*Par*: .....
(Signature) (Description of Office)
(Signature) *(Fonction)*

.....
(Signature) (Description of Office)
(Signature) *(Fonction)*

(corporate seal)
(apposer le sceau de la personne morale)

O. Reg. 152/82, Form 5, *revised.*

Form 6

Corporations Act

Ontario Corporation Number

BOND OF A GUARANTEE COMPANY

Form 6
Corporations
Act

Whereas .....
(Name of corporation)

(hereinafter called the "Corporation") has applied to the Minister of Consumer and Commercial Relations for an order under subsection 304 (3) of the *Corporations Act*:

and whereas the Minister of Consumer and Commercial Relations has directed that, as a condition of making the said order, these presents be executed:

Now therefore these presents witness that .....
(Name of surety)

is held and firmly bound unto the Treasurer of Ontario for the time being in the penal sum of $10,000, to be paid to the Treasurer of Ontario for the time being or to any person who may be entitled upon assignment from the Treasurer of Ontario for the

time being to recover the sum hereby secured, for which payment well and truly to be made .....
(Name of surety)

binds itself, its successors and assigns firmly by these presents.

The condition of this obligation is such that if .....
(Name of corporation)

doth at all proper times allow the records mentioned in subsection 304 (1) of the *Corporations Act* to be inspected at the head office of the said corporation by any person entitled thereto as the Minister of Consumer and Commercial Relations may direct from time to time by due notice to the said corporation, after application to him or her by such person for such inspection, and if the auditors of the said corporation are at all times persons who are licensed by the public accountants council for the province of Ontario or who are members in good standing in an institute or association of accountants incorporated under the authority of the legislature of any province of Canada, then this obligation is to be void, otherwise to remain in full force and effect.

Provided that, if the said surety at any time gives two calendar months notice in writing to the Treasurer of Ontario of intention to terminate this suretyship, then this obligation shall cease and determine as of the date of such termination except as to any claim hereunder arising prior to such last mentioned date. Notice of any claim hereunder shall be made upon the surety within one year following the date of termination as herein provided.

In witness whereof ..... has caused
(Name of surety)

its corporate seal to be affixed hereto by the hands of its proper officers in that behalf this ..... day of ....., 19.....

.....
(Name of surety)

By: .....
(Signature) (Description of Office)

.....
(corporate seal) (Signature) (Description of Office)

O. Reg. 152/82, Form 6.

Form 7
Formule 7

Corporations Act
Loi sur les personnes morales

1

Ontario Corporation Number *Numéro de la personne morale en Ontario*

Form 7 Corporations Act
Formule 7 Loi sur les personnes morales

POWER OF ATTORNEY
PROCURATION

Know all persons by these presents that: *Avis à tout intéressé :*

.....
(Name of appointing corporation) *(Dénomination sociale sous laquelle la personne morale est constituée)*

(hereinafter called the "Corporation") hereby nominates, constitutes and appoints *(ci-après dénommé la «personne morale») par les présentes constitue*

.....
(Name of attorney in full) *(Nom du fondé de pouvoir au complet)*

Ontario | | | | | | |

.....
(Business address of the attorney including Street Number and Municipality) (Postal Code)
(Adresse professionnelle du fondé de pouvoir, y compris la rue, le numéro et la municipalité) *(Code postal)*

its true and lawful attorney, to act as such, and as such to sue and be sued, plead and be impleaded in any court in Ontario, and generally on behalf of the corporation within Ontario to accept service of process and to receive all lawful notices and, for the purposes of the corporation, to do all acts and to execute all deeds and other intruments relating to the matters within the scope of this power of attorney. Until due lawful notice of the appointment of another and subsequent attorney has been given to and accepted by the Minister of Consumer and Commercial Relations, service of process or of papers and notices upon the said:

Son fondé de pouvoir, pour qu'il agisse à ce titre, et lui donne mandat de la représenter, tant en demande qu'en défense, devant tout tribunal en Ontario et de recevoir en Ontario, au nom de la personne morale, signification de toute procédure et de tout avis légal, et, aux fins des objets pour lesquels la personne morale est constituée, de prendre toutes les mesures et de passer tous les actes scellés et autres actes relatifs aux matières visées par la présente procuration. Jusqu'à ce qu'avis en bonne et due forme de la constitution d'un autre fondé de pouvoir ait été donné au ministre de la Consommation et du Commerce et accepté par lui, la personne morale convient que la signification d'une procédure, d'un document ou d'un avis à :

.....
(Name of attorney in full) *(Nom du fondé de pouvoir au complet)*

shall be accepted by the corporation as sufficient service. *constitue une signification suffisante.*

Dated/*Fait le* .....
(Day, Month, Year) *(jour, mois, année)*

.....
(Name of Corporation) (Description of Office)
(Dénomination sociale sous laquelle la personne morale est constituée)

By/*Par* : .....
(Signature) (Description of Office)
(Signature) *(Fonction)*

.....
(corporate seal) (Signature) (Description of Office)
(apposer le sceau de la personne morale) *(Signature)* *(Fonction)*

CONSENT TO ACT AS ATTORNEY
ACCEPTATION DE LA PROCURATION

2

I, ..., (Name of attorney in full)

Je, ..., *(Nom du fondé de pouvoir au complet)*

of ..... (Business address including Street)

du ..... *(Adresse professionnelle y compris la rue)*

....., Ontario, (Number and Municipality)

(le numéro et la municipalité)

hereby consent to act as the attorney in the province of Ontario of

par les présentes conviens d'agir à titre de fondé de pouvoir dans la province de l'Ontario de la

..... (Name of Corporation)

(Dénomination sociale sous laquelle la personne morale est constituée)

pursuant to the power of attorney in that behalf executed by the said corporation on the ..... day of ....., 19..... authorizing me to accept service of process and notices on its behalf.

aux termes de la procuration établie à cet effet par cette personne morale le ..... 19..... m'autorisant à recevoir signification de procédures et d'avis en son nom.

Dated/*Fait le* ..... (Day, Month, Year) *(jour, mois, année)*

..... (Signature of witness)

..... *(Signature du témoin)*

..... (Signature of the consenting person or corporation)

..... *(Signature de la personne physique ou morale qui accepte la procuration)*

O. Reg. 152/82, Form 7, *revised.*

Form 8
Formule 8

Corporations Act
Loi sur les personnes morales

1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

Form 8
Corporations Act
Formule 8
Loi sur les personnes morales

APPLICATION FOR AN ORDER RESCINDING ORDER PERMITTING REMOVAL OF RECORDS FROM HEAD OFFICE
REQUÊTE EN VUE D'OBTENIR L'ANNULATION D'UN ARRÊTÉ AUTORISANT LE RETRAIT DE DOSSIERS DU SIÈGE SOCIAL

1. Name of the applicant corporation: *Dénomination sociale de la personne morale requérante :*

2. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

(Day, Month, Year) *(jour, mois, année)*

3. The corporation is not in default in filing notices required under the *Corporations Information Act*. *La personne morale n'a pas omis de produire les avis exigés par la* Loi sur les renseignements exigés des personnes morales.

4. By an order dated *Par un arrêté en date du*

(Day, Month, Year) *(jour, mois, année)*

under subsection 304 (3) of the *Corporations Act*, it was permitted to keep the records mentioned in subsection 304 (3) of the said Act at: *rendu aux termes du paragraphe 304 (3) de la* Loi sur les personnes morales, *la requérante a été autorisée à conserver les dossiers visés par le paragraphe 304 (3) de cette loi à :*

(City/Town) *(ville)* (Province/State and Country) *(province/État et pays)*

5. The corporation has returned to the head office all records removed from the head office of the corporation. The records are now located at the head office of the corporation at: *La personne morale a rapporté à son siège social tous les dossiers qu'elle en avait retirés. Les dossiers se trouvent maintenant au siège social de la personne morale au :*

(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

(Name of Municipality or Post Office)
(Nom de la municipalité ou du bureau de poste)

(Postal Code)
(Code postal)

6. The corporation requests that the order referred to in item 4 above be rescinded. *La personne morale demande que l'arrêté mentionné à la disposition 4 ci-dessus soit annulé.* 2

This application is executed in duplicate. *La présente requête est faite en double exemplaire.*

.....

(Name of Corporation)
(Dénomination sociale de la personne morale)

By/*Par* : .....

(Signature) (Description of Office)
(Signature) *(Fonction)*

.....

(corporate seal) (Signature) (Description of Office)
(apposer le sceau de la personne morale) *(Signature)* *(Fonction)*

O. Reg. 152/82, Form 8, *revised.*

Form 9
Formule 9

Corporations Act
Loi sur les personnes morales

1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

Trans Code	Stat
C	D
18	28

APPLICATION FOR SURRENDER OF CHARTER/TERMINATION OF CORPORATE EXISTENCE
REQUÊTE EN ABANDON DE CHARTE OU EN VUE DE METTRE FIN À L'EXISTENCE DE LA PERSONNE MORALE

Form 9 Corporations Act
Formule 9 Loi sur les personnes morales

1. Name of the applicant corporation: / *Dénomination sociale de la personne morale requérante :*

2. Date of incorporation/amalgamation: / *Date de la constitution ou de la fusion :*

(Day, Month, Year) / *(jour, mois, année)*

3. The surrender of charter/termination of corporate existence has been duly authorized under clause 319 (1) (a) of the *Corporations Act*.

L'abandon de la charte ou la fin de l'existence de la personne morale a été dûment approuvée aux termes de l'alinéa 319 (1) a) de la Loi sur les personnes morales.

4. The corporation has, / *La personne morale :*

(a) No debts, obligations or liabilities; / *(a) N'a pas de dettes, d'obligations ou d'engagements;*

(b) Duly provided for or protected its debts, obligations or liabilities in accordance with subsection 319 (1) of the *Corporations Act*; / *(b) A pourvu à ses dettes, obligations ou engagements, ou les a protégés, conformément au paragraphe 319 (1) de la* Loi sur les personnes morales;

(c) Obtained consent to its dissolution from its creditors or other persons having interests in its debts, obligations or liabilities. / *(c) A obtenu le consentement à sa dissolution de ses créanciers ou des autres personnes qui peuvent faire valoir des droits à l'égard de ses dettes, obligations ou engagements.*

5. The corporation has parted with its property by distributing it rateably among its shareholders or members according to their rights and interests in the corporation.

La personne morale s'est départie de ses biens en les distribuant à ses actionnaires ou à ses membres au prorata de leurs droits dans la personne morale.

6. The corporation has filed all notices required under the *Corporations Information Act.*

La personne morale a produit tous les avis exigés par la Loi sur les renseignements exigés des personnes morales.

7. There are not proceedings pending in any court against the corporation.

Aucune procédure n'est engagée devant un tribunal contre la personne morale.

8. The corporation has given notice of its intention to surrender its charter/terminate its corporate existence by publication once in *The Ontario Gazette* and once in a newspaper published at or near as may be to the place where it has its head office.

La personne morale a donné avis de son intention d'abandonner sa charte ou de mettre fin à son existence en publiant l'avis une fois dans la Gazette de l'Ontario *et une fois dans un journal publié à l'endroit où se situe son siège social ou le plus près possible de cet endroit.* 2

9. The corporation has complied with the requirements of the *Corporations Act* and the conditions contained in the letters patent or by-laws of the corporation precedent to the delivery of this application for the surrender of its charter/termination of corporate existence.

La personne morale s'est conformée à toutes les exigences de la Loi sur les personnes morales *et aux conditions contenues dans ses lettres patentes ou ses règlements administratifs préalablement au dépôt de la présente requête en abandon de charte ou en vue de mettre fin à son existence.*

This application is executed in duplicate.

La présente requête est faite en double exemplaire.

.....
(Name of Corporation)
(Dénomination sociale de la personne morale)

By/*Par* : .....
(Signature) (Description of Office)
(Signature) *(Fonction)*

.....
(corporate seal) (Signature) (Description of Office)
(apposer le sceau de la personne morale) *(Signature)* *(Fonction)*

O. Reg. 152/82, Form 9, *revised.*

Form 10
Formule 10

Corporations Act
Loi sur les personnes morales

1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

Trans Code	Stat	
C	0	R
18	28	57

APPLICATION FOR REVIVAL OF CORPORATION
REQUÊTE EN VUE DE LA RECONSTITUTION DE LA PERSONNE MORALE

Form 10 Corporations Act
Formule 10 Loi sur les personnes morales

1. Name of dissolved corporation: *Dénomination sociale de la personne morale dissoute :*

2. The corporation is to be revived under the name (if different from 1): *La personne morale sera reconstituée sous la dénomination sociale (si différente de nº 1) :*

3. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

(Day, Month, Year) *(jour, mois, année)*

4. Date of dissolution: *Date de la dissolution :*

(Day, Month, Year) *(jour, mois, année)*

5. Address for mailing notices under the *Corporations Information Act:* *Adresse où doivent être postés les avis exigés par la* Loi sur les renseignements exigés des personnes morales *:*

(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

(Name of Municipality or Post Office)
(Nom de la municipalité ou du bureau de poste)

(Postal Code)
(Code postal)

6.	The following terms and conditions have been complied with:	*Les conditions suivantes ont été observées :*	2
	(a) All notices required to be filed by the corporation under the *Corporations Information Act* have been filed and all defaults of the corporation to the date of dissolution have been remedied.	*(a) Tous les avis exigés par la* Loi sur les renseignements exigés des personnes morales *ont été produits et toutes les omissions de la personne morale au moment de la dissolution ont été corrigées.*	
	(b) The consent of the Public Trustee to the requested revival accompanies this application.	*(b) Le consentement du curateur public à la reconstitution de la personne morale est joint à la présente requête.*	
	(c) The consent of the Corporations Tax Branch of the Ministry of Revenue (if applicable) accompanies this application.	*(c) La consentement de la Direction de l'imposition des corporations du ministère du Revenu (si approprié) est joint à la présente requête.*	
7.	Immediately before dissolution the interest of the applicant in the corporation was:	*Immédiatement avant la dissolution les droits du requérant dans la personne morale étaient les suivants :*	
8.	The reasons for requesting revival of the corporation are:	*La reconstitution de la personne morale est demandée aux motifs suivants :*	
9.	It is requested that the corporation be revived under the provisions of subsection 317 (10) of the *Corporations Act.*	*La reconstitution de la personne morale est demandée aux termes du paragraphe 317 (10) de la* Loi sur les personnes morales.	
	This application is executed in duplicate.	*La présente requête est faite en double exemplaire.*	

Full name and signature of the applicant
Nom au complet et signature du requérant

O. Reg. 152/82, Form 10, *revised.*

Form 11
Formule 11

Corporations Act
Loi sur les personnes morales

1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

Trans Code	Line No.	Stat	Comp Type	Method Incorp	Share
A	0	0	A	1	S
18	20	28	29	30	31

Notice Req'd	Jurisdiction	
N	ONTARIO	A
32	33 47	57

APPLICATION FOR LETTERS PATENT OF AMALGAMATION
REQUÊTE EN VUE D'OBTENIR DES LETTRES PATENTES DE FUSION

Form 11 Corporations Act
Formule 11 Loi sur les personnes morales

1. Name of the amalgamated corporation: *Dénomination sociale de la personne morale issue de la fusion :*

2. The amalgamation agreement has been duly approved as required by subsection 113 (3) of the *Corporations Act.* *L'accord de fusion a été dûment approuvé conformément au paragraphe 113 (3) de la* Loi sur les personnes morales.

3. The names of the amalgamating corporations and the dates on which the amalgamation agreement was approved by the shareholders/members of each of the amalgamating corporations are: *Les dénominations sociales des personnes morales qui fusionnent et les dates auxquelles l'accord de fusion a été approuvé par les actionnaires ou les membres de chaque personne morale qui fusionne sont les suivantes :*

Name of corporation *Dénomination sociale de la personnes morales*	Ontario Corporation Number *Numéro de la personne morale en Ontario*	Date of shareholders/Members approval *Date de l'approbation par les actionnaires ou membres*

4. The address of the head office of the amalgamated corporation is: *Adresse du siège social de la personne morale issue de la fusion :*

.....

(Street & Number or R.R. Number & if Multi-Office Building give Room No.)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

.....

(Name of Municipality or Post Office)
(Nom de la municipalité ou du bureau de poste)

(Postal Code)
(Code postal)

5. The head office of the amalgamated corporation is situated in: / *Le siège social de la personne morale issue de la fusion se trouve à :* 2

..... in the .....

(Name of Municipality, Geographical Township) / *(Nom de la municipalité, du canton géographique)* — *dans le/la* — (County, District, Regional Municipality) / *(Comté, district, municipalité régionale)*

6. The persons who are to be directors of the amalgamated corporation are: / *Les personnes qui seront les administrateurs de la personne morale issue la fusion sont :*

Name in full, including all given names *Nom et prénoms au complet*	Residence address, giving Street & No. or R.R. No. & Municipality or Post Office and Postal Code *Adresse personnelle y compris la rue et le numéro ou le numéro de la R.R., le nom de la municipalité ou du bureau de poste et le code postal*

7. The following is a copy of the amalgamation agreement duly certified under corporate seal by the secretary of each of the amalgamating corporations: / *Copie de l'accord de fusion dûment certifiée et revêtue du sceau de la personne morale par le secrétaire de chacune des personnes morales qui fusionnent :*

The corporations named below apply jointly for letters patent confirming the agreement and amalgamating the said corporations. / *Les personnes morales nommées ci-dessous demandent conjointement des lettres patentes confirmant l'accord et les fusionnant.*

This application is executed in duplicate. / *La présente requête est faite en double exemplaire.*

Names and seals of the amalgamating corporations and signatures and descriptions of office of their proper officers.
Dénominations sociales et sceaux des personnes morales qui fusionnent, signatures et fonctions de leurs dirigeants régulièrement désignés

O. Reg. 152/82, Form 11, *revised.*

Form 12
Formule 12

Corporations Act
Loi sur les personnes morales

1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

Trans Code	Stat	Comp Type	Method Incorp	Share
A	0	B	1	N
18	28	29	30	31

Notice Req'd	Jurisdiction	Incorporation Date Day Month Year
N	ONTARIO	19
32	33 47	48 55

APPLICATION FOR CONTINUATION IN ONTARIO
REQUÊTE EN VUE DU MAINTIEN DE LA PERSONNE MORALE EN ONTARIO

Form 12 Corporations Act
Formule 12 Loi sur les personnes morales

1. Name of the corporation: *Dénomination sociale de la personne morale :*

2. The corporation is to be continued under the name (if different from 1): *La personne morale sera maintenue sous la dénomination sociale de (si différente de nº 1) :*

3. Name of jurisdiction the corporation is leaving: *Nom de la compétence territoriale que quitte la personne morale :*

.....
(Name of Jurisdiction)
(Nom de la compétence territoriale)

4. Date of incorporation/amalgamation: *Date de la constitution ou de la fusion :*

.....
(Day, Month, Year) *(jour, mois, année)*

5. The address of the head office is: *L'adresse du siège social est :*

.....
(Street and Number or R.R. Number and if Multi-Office Building give Room Number)
(Rue et numéro ou numéro de la R.R. et, s'il s'agit d'un édifice à bureaux, numéro du bureau)

.....
(Name of Municipality or Post Office)
(Nom de la municipalité ou du bureau de poste)

(Postal Code)
(Code postal)

6. The head office of the corporation is situated in: *Le siège social de la personne morale est situé à :* 2

..... in the .....

(Name of Municipality, Geographical Township) *dans le/la* (County, District, Regional Municipality)
(Nom de la municipalité, du canton géographique) *(Comté, district, municipalité régionale)*

7. The number of directors is: *Les administrateurs sont au nombre de :*

8. The directors of the corporation are: *Noms des administrateurs de la personne morale :*

Name in full, including all given names *Nom au complet*	Residence address, giving Street & No. or R.R. No. & Municipality or Post Office and Postal Code *Adresse personnelle y compris la rue et le numéro ou le numéro de la R.R., le nom de la municipalité ou du bureau de poste et le code postal*

9. The objects of the corporation which is continued are to be: *Les objets de la personne morale qui est maintenue seront :*

10. Special provisions (if any) are: *Les dispositions particulières (s'il y a lieu) sont :*

11. The continuation of the corporation under the laws of the Province of Ontario has been properly authorized, under the laws of the jurisdiction in which the corporation was incorporated/ amalgamated or previously continued, on *Le maintien de la personne morale en vertu des lois de la province d'Ontario a été dûment autorisé en vertu des lois de la compétence territoriale dans laquelle la personne morale a été constituée ou fusionnée ou précédemment maintenue le*

.....

(Day, Month, Year) *(jour, mois, année)*

12. The corporation is to be continued under section 312 of the *Corporations Act* to the same extent as if it had been incorporated under this Act. *La personne morale sera maintenue en vertu de l'article 312 de la* Loi sur les personnes morales *dans la même mesure que si elle avait été constituée en vertu de cette loi.*

This application is executed in duplicate. *La présente requête est faite en double exemplaire.*

.....

(Name of Corporation)
(Dénomination sociale de la personne morale)

By/*Par*: .....

(Signature & Description of Office)
(Signature et fonction)

.....

(corporate seal) (Signature & Description of Office)
(sceau de la personne morale) *(Signature et fonction)*

O. Reg. 152/82, Form 14, *revised.*

Form 13
Formule 13

Corporations Act
Loi sur les personnes morales

1

For Ministry Use Only
À l'usage exclusif du ministère

Ontario Corporation Number
Numéro de la personne morale en Ontario

APPLICATION FOR AUTHORIZATION TO TRANSFER TO ANOTHER JURISDICTION
REQUÊTE EN VUE D'OBTENIR L'AUTORISATION DE TRANSFERT À UNE AUTRE COMPÉTENCE TERRITORIALE

Form 13
Corporations Act
Formule 13
Loi sur les personnes morales

To the Minister of Consumer and Commercial Relations

Au ministre de la Consommation et du Commerce

1. Name of the corporation:

Dénomination sociale sous laquelle est constituée la personne morale :

2. Date of incorporation/amalgamation:

Date de la constitution ou de la fusion :

(Day, Month, Year) *(jour, mois, année)*

3. The corporation is not in default in filing notices under the *Corporations Information Act*.

La personne morale n'a pas omis de produire les avis requis par la Loi sur les renseignements exigés des personnes morales.

4. There are no actions, suits or proceedings pending against the corporation and no unsatisfied judgments or orders outstanding against the corporation, except as follows:

Il n'y a aucune action, poursuite ou instance en cours contre la personne morale ni aucun jugement ou ordonnance non exécutés contre la personne morale, à l'exception de ce qui suit :

5. It is requested that the corporation be authorized under section 313 of the *Corporations Act* to apply to the proper officer for an instrument of continuation continuing the corporation as if it had been incorporated under the laws of

La personne morale demande l'autorisation aux termes de l'article 313 de la Loi sur les personnes morales *de s'adresser à l'autorité compétente pour obtenir son maintien comme si elle avait été constituée en vertu des lois de*

6. The laws of the jurisdiction where the corporation will be applying for an instrument of continuation permit corporations incorporated under the laws of the province of Ontario to be so continued.

Les lois de la compétence territoriale où la personne morale demandera son maintien autorisent les personnes morales constituées en vertu des lois de l'Ontario d'être ainsi maintenues.

7. The necessity therefor is as follows:

La présente requête se fonde sur les motifs suivants :

8. This application has been authorized by a special resolution.

La présente requête a été autorisée par résolution spéciale.

9. This application is accompanied by the consent of:

La présente requête est accompagnée du consentement :

(a) Public Trustee; or

(a) ou bien du curateur public;

(b) The Corporations Tax Branch of the Ministry of Revenue.

(b) ou bien de la Direction du l'imposition des corporations du ministère du Revenu.

This application is executed in duplicate. *La présente requête est faite en double exemplaire.* 2

.....

(Name of Corporation)
(Dénomination sociale de la personne morale)

By/*Par* : .....

(Signature) (Description of Office)
(Signature) *(Fonction)*

.....

(corporate seal) (Signature) (Description of Office)
(apposer le sceau de la personne morale) *(Signature)* *(Fonction)*

O. Reg. 152/82, Form 15, *revised.*

Form 14

Corporations Act

INITIAL REPORT OF INSIDER

1. Name of the company of which the undersigned is an insider.

2. Full name of the undersigned.

3. Business or home address of the undersigned. Where the business address is given, the Director of the Ontario Securities Commission may request that the home address in full be furnished to the Commission.

4. Indicate in what capacity or capacities the undersigned qualifies as an insider.

5. Capital securities of the company,

   (a) beneficially owned, directly or indirectly, by the undersigned on .....
   day month year

   (b) over which the undersigned exercises control or direction .....
   day month year

DESIGNATION OF CAPITAL SECURITY	AMOUNT OR NO.	NATURE OF OWNERSHIP

6. Additional remarks.

The undersigned hereby certifies that the information given in this report is true and complete in every respect.

....
DATE OF THE REPORT SIGNATURE

IT IS AN OFFENCE UNDER THE *CORPORATIONS ACT* TO FILE A FALSE OR MISLEADING REPORT.

O. Reg. 152/82, Form 16, *revised.*

Form 15

Corporations Act

REPORT OF INSIDER ON CHANGES IN OWNERSHIP OF, OR CONTROL OR DIRECTION OVER, CAPITAL SECURITIES

1. Name of company of which the undersigned is insider.

2. Full name of the undersigned.

3. Business or home address of the undersigned. Where the business address is given, the Director of the Ontario Securities Commission may request that the home address in full be furnished to the Commission.

4. Indicate in what capacity or capacities the undersigned qualifies as an insider.

5. Information given for calendar month of

6. Date of last Report filed.

7. Changes during the month in the undersigned's direct or indirect beneficial ownership, or control or direction over capital securities of the company.

Designation of Capital Security	Date of Transfer or Purchase or Sale Transaction	Amount or Number Purchased or Otherwise Acquired	Amount or Number Sold or Otherwise Disposed of	Price Per Capital Security at Which Sold or Purchased or Otherwise Acquired or Disposed of	Nature of Ownership or Control or Direction of Capital Security

8. As of the end of the month, list all capital securities of the company beneficially owned, directly or indirectly, by the undersigned and over which the undersigned exercised control or direction.

Designation of Capital Security	Balance at Date of Last Report Filed	Balance at End of Month	Nature of Ownership or Control or Direction over Capital Securities

9. Additional remarks.

The undersigned hereby certifies that the information given in this report is true and complete in every respect.

....
DATE OF THE REPORT SIGNATURE

IT IS AN OFFENCE UNDER THE *CORPORATIONS ACT* TO FILE A FALSE OR MISLEADING REPORT.

O. Reg. 152/82, Form 17, *revised.*

Form 16

Corporations Act

INFORMATION CIRCULAR

ITEM 1 REVOCABILITY OF PROXY

State whether the person giving the proxy has the power to revoke it. If any right of revocation is limited or is subject to compliance with any formal procedure, briefly describe the limitation or procedure.

ITEM 2 PERSONS MAKING THE SOLICITATION

(a) If solicitation is made by or on behalf of the management of the company, so state. Give the name of any director of the company who has informed the management in writing that he intends to oppose any action intended to be taken by the management and indicate the action that he intends to oppose.

(b) If a solicitation is made otherwise than by or on behalf of the management of the company, so state and give the name of the person by whom or on whose behalf it is made.

(c) If the solicitation is to be made otherwise than by mail, describe the method to be employed. If the solicitation is to be made by specially engaged employees or soliciting agents, state,

(i) the material features of any contract or arrangement for the solicitation and identify the parties to the contract or arrangement, and

(ii) the cost or anticipated cost thereof.

(d) State the name of the person by whom the cost of soliciting has been or will be borne, directly or indirectly.

ITEM 3 INTEREST OF CERTAIN PERSONS IN MATTERS TO BE ACTED UPON

Give brief particulars of any material interest, direct or indirect, by way of beneficial ownership of capital securities or otherwise of each of the following persons of any matter to be acted upon other than the election of directors or the appointment of auditors,

(a) if the solicitation is made by or on behalf of the management of the company, each person who has been a director or senior officer of the company at any time since the beginning of the last financial year of the company;

(b) if the solicitation is made otherwise than by or on behalf of the management of the company, each person on whose behalf, directly or indirectly, the solicitation is made;

(c) each proposed nominee for election as a director of the company;

(d) each associate or affiliate of any of the foregoing persons.

ITEM 4 EQUITY SHARES AND PRINCIPAL HOLDERS OF EQUITY SHARES

(a) State as to each class of equity shares of the company entitled to be voted at the meeting, the number of shares outstanding and the particulars of voting rights for each share of each such class.

(b) Give the record date as of which the shareholders entitled to vote at the meeting will be determined or particulars as to the closing of the share transfer register, as the case may be, and, if the right to vote is not limited to shareholders of record as of a specified record date, indicate the conditions under which shareholders are entitled to vote.

(c) If, to the knowledge of the directors or senior officers of the company, any person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares carrying more than 10 per cent of the voting rights attached to any class of equity shares of the company, name each such person or company, state the approximate number of the shares beneficially owned, directly or indirectly, or over which control or direction is exercised, by each such person and the percentage of the class of outstanding equity shares of the company represented by the number of equity shares so owned, controlled or directed.

ITEM 5 ELECTION OF DIRECTORS

(a) If directors are to be elected, provide the following information, in tabular form to the extent practicable, for each person proposed to be nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

(i) Name and identify as such each proposed director of the company and name each director of the company whose term of office will continue after the meeting.

(ii) State when the term of office for each director and proposed director will expire.

(iii) State whether the company has an executive committee of its Board of Directors or is required to have an audit committee and, if so, name those directors who are members of each such committee.

(iv) Where a director or officer has held more than one position in the company parent or subsidiary thereof, state only the first and last position held.

(v) State the present principal occupation, business or employment of each director and proposed director. Give the name and principal business of any person in which any such employment is carried on. Furnish similar information as to all of the principal occupations, businesses or employments of each proposed director within the five preceding years, unless he or she is now a director and was elected to his or her present term of office by a vote of shareholders at a meeting, the notice of which was accompanied by an information circular.

(vi) If the proposed director is or has been a director of the company, state the period or periods during which he has served as such.

(vii) State the number of shares of each class of equity shares of the company or of any subsidiary of the company, beneficially owned, directly or indirectly or over which control or direction is exercised by each proposed director.

(viii) If equity shares carrying more than 10 per cent of the voting rights attached to all equity shares of the company or of a subsidiary of the company are beneficially owned, directly or indirectly, or controlled or directed by any proposed director and his associates or affiliates, state the number of shares of each class of equity shares beneficially owned, directly or indirectly, or controlled or directed by the associates or affiliates, naming each associate or affiliate whose shareholdings are 10 per cent or more.

(b) If any proposed director is to be elected pursuant to any arrangement or understanding between the nominee and any other person except the directors and senior officers of the company acting solely in such capacity, name the other person and describe briefly the arrangement or understanding.

ITEM 6 DIRECTORS' AND OFFICERS' REMUNERATION

If action is to be taken with respect to:

— the election of directors,

— any bonus, profit sharing or other plan of remuneration, contract or arrangement in which any director or officer of the company will participate,

— any pension or retirement plan of the corporation in which any director or officer of the company will participate, or

— the granting to any director or officer of the company of any option or right to purchase any shares other than rights issued rateably to all shareholders or to all shareholders resident in Canada.

TABLE

REMUNERATION OF DIRECTORS AND OFFICERS

NATURE OF REMUNERATION

	From Office, Employment and Employer Contributions (Aggregate)	Cost Pension Benefits (Aggregate)	Other (Aggregate)
(I) DIRECTORS (Total Number: .....)			Last Completed Financial Year Future Years
(A) From issuer and wholly-owned subsidiaries:			
(B) From partially-owned subsidiaries (Provide Names):			
.....			
.....			
.....			
TOTAL	$	$	$

(II) FIVE SENIOR OFFICERS:			Last Completed Financial Year Future Years
(A) From issuer and wholly-owned subsidiaries:			
(B) From partially-owned subsidiaries (Provide Names):			
.....			
.....			
.....			
TOTAL	$	$	$

(III) OFFICERS WITH REMUNERATION OVER $50,000
(Total Number: .....)

			Last Completed Financial Year	Future Years
(A) From issuer and wholly-owned subsidiaries:				
(B) From partially-owned subsidiaries (Provide Names):				
.....				
.....				
.....				
TOTAL	$	$	$	

(a) State in the form of the table shown above separately for each of the following the aggregate remuneration paid or payable by the company and its subsidiaries in respect of the company's last completed financial year to:—

(i) the directors of the company in their capacity as directors of the company and any of its subsidiaries,

(ii) the five senior officers of the company in receipt of the largest amounts of remuneration, in their capacity as officers or employees of the corporation and any of its subsidiaries, and

(iii) the officers of the company other than those in (ii) who received in their capacity as officers or employees of the corporation and any of its subsidiaries aggregate remuneration in excess of $50,000 in that year, provided that this disclosure shall not be required where the company has less than two such officers.

(b) State, where practicable, the estimated aggregate cost to the company and its subsidiaries in or in respect of the last completed financial year of all benefits proposed to be paid under any pension or retirement plan upon retirement at normal retirement age to persons to whom paragraph (a) applies, or, in the alternative, the estimated aggregate amount of all such benefits proposed to be paid upon retirement at normal retirement age to those persons.

(c) State, where practicable, the aggregate of all remuneration payments other than those of the type referred to in paragraphs (a) and (b) made in or in respect of the company's last completed financial year and, as a separate amount, proposed to be made in the future by the company or any of its subsidiaries pursuant to an existing plan to persons to whom paragraph (a) applies.

(d) State as to all options to purchase capital securities of the company or any of its subsidiaries that, since the commencement of the company's last financial year, were granted to directors or senior officers of the company, the following particulars:

(i) the description and number of capital securities included,

(ii) the dates of grant, the prices, expiration dates and other material provisions,

(iii) the consideration received for the granting thereof, and

(iv) where reasonably ascertainable, a summary showing the price range of the capital securities in the thirty-day period preceding the date of the grant and, where not reasonably ascertainable, a statement to that effect.

As to all options to purchase capital securities of the company or any of its subsidiaries that were exercised by directors or senior officers of the company since the commencement of the company's last financial year, state the following particulars:

(i) the description and number of capital securities purchased,

(ii) the purchase price, and

(iii) where reasonably ascertainable, a summary showing the price range of the capital securities in the thirty-day period preceding the date of purchase and, where not reasonably ascertainable, a statement to that effect.

ITEM 7 INDEBTEDNESS OF DIRECTORS AND SENIOR OFFICERS

In regard to,

(i) each director and each senior officer of the company,

(ii) each proposed nominee for election as a director of the company, and

(iii) each associate or affiliate of any such director, senior officer or proposed nominee,

who is or has been indebted to the company or its subsidiaries at any time since the beginning of the last completed financial year of the company, state with respect to each such body corporate or subsidiary the largest aggregate amount of indebtedness outstanding at any time during the last completed financial year, the nature of the indebtedness and of the transaction in which it was incurred, the amount thereof presently outstanding, and the rate of interest paid or charged thereon, but no disclosure need be made of routine indebtedness.

1. In this item "routine indebtedness" means indebtedness described in any of the following clauses:

   (a) if a company makes loans to employees generally whether or not in the ordinary course of business then loans shall be considered to be routine indebtedness if made on terms, including those as to interest or collateral, no more favourable to the borrower than the terms on which loans are made by the issuer to employees generally, but the amount at any time remaining unpaid under such loans to any one director, senior officer or proposed nominee together with his associates or affiliates that are treated as routine indebtedness under this clause (a) shall not exceed $25,000;

   (b) whether or not the company makes loans in the ordinary course of business, a loan to a director or senior officer shall be considered to be routine indebtedness if,

      (i) the borrower is a full-time employee of the company,

      (ii) the loan is fully secured against the residence of the borrower, and

      (iii) the amount of the loan does not exceed the annual salary of the borrower;

   (c) where the company makes loans in the ordinary course of business, a loan shall be considered to be routine indebtedness if made to a person other than a full-time employee of the company, and if the loan,

      (i) is made on substantially the same terms, including those as to interest rate and collateral, as were available when the loan was made to other customers of the company with comparable credit ratings, and

      (ii) involves no more than usual risks of collectibility; and

   (d) indebtedness arising by reason of purchases made on usual trade terms or of ordinary travel or expense advances, or for similar reasons shall be considered to be routine indebtedness if the repayment arrangements are in accord with usual commercial practice.

2. State the name and home address in full or, alternatively, solely the municipality of residence or postal address of each person whose indebtedness is described.

ITEM 8 INTEREST OF INSIDERS IN MATERIAL TRANSACTIONS

Where not previously disclosed in an information circular, describe briefly, and where practicable, state the approximate amount of any material interest, direct or indirect, of any insider of the company, any proposed nominee for election as a director of the company or any associate or affiliate of such insider or proposed nominee in any transaction since the commencement of the company's last financial year or in any proposed transaction which has materially affected or would materially affect the company or any of its subsidiaries.

ITEM 9 APPOINTMENT OF AUDITOR

If action is to be taken with respect to the appointment of an auditor, name the auditor of the company. If the auditor was first appointed within the last five years, state the date when the auditor was first appointed.

ITEM 10 MANAGEMENT CONTRACTS

Where management functions of the company or any subsidiary are to any substantial degree performed by a person other than the directors or senior officers of the company or subsidiary:

(i) give details of the agreement or arrangement under which the management functions are performed,including the name and address of any person who is a party to the agreement or arrangement or who is responsible for performing the management functions;

(ii) give the names and home addresses in full or, alternatively, solely the municipality of residence or postal address of the insiders of any person with which the company or subsidiary has any such agreement or arrangement and, if the following information is known to the directors or senior officers of the company, give the names and addresses of any person with which the company or subsidiary has any such agreement or arrangement if the person were a company;

(iii) with respect to any person named in answer to paragraph (i), state the amounts paid or payable by the company and its subsidiaries to the person since the commencement of the last financial year and give particulars; and

(iv) with respect to any person named in answer to paragraph (i) or (ii) and their associates or affiliates, give particulars of,

   (a) any indebtedness of the person, associate or affiliate to the company or its subsidiaries that was outstanding, and

   (b) any transaction or arrangement of the person, associate or affiliate with the company or subsidiary,

at any time since the commencement of the company's last financial year.

ITEM 11 PARTICULARS OF MATTERS TO BE ACTED UPON

If action is to be taken on any matter to be submitted to the meeting of shareholders, other than the approval of financial statements, the substance of the matter, or related groups of matters, should be briefly described, except to the extent described pursuant to the foregoing items, in sufficient detail to permit shareholders to form a reasoned judgment concerning the matter. Without limiting the generality of the foregoing, such matters include alterations of share capital, charter amendments, property acquisitions or dispositions, amalgamations, mergers or reorganizations. Where a reorganization or similar restructuring is involved, reference should be made to a prospectus form or issuer bid form for guidance as to what is material.

If the matter is one that is not required to be submitted to a vote of shareholders, the reasons for submitting it to shareholders should be given and a statement should be made as to what action is intended to be taken by management in the event of a negative vote by the shareholders.

O. Reg. 152/82, Form 18, *revised.*

Reg./Règl. 182

Corporations Information Act
Loi sur les renseignements exigés des personnes morales

REGULATION 182

GENERAL

1.—(1) An initial notice, a notice of change and a notice required under section 7 of the Act shall be in a form provided or approved by the Minister.

(2) The information required to be set out in a notice mentioned in subsection (1) shall be typewritten or machine-printed. O. Reg. 12/91, s. 1, *part*.

1a. An initial notice under subsection 2 (1) of the Act shall set out the following information in respect of a corporation:

1. The name of the corporation.
2. The Ontario corporation number of the corporation.
3. The date of its incorporation, continuation or amalgamation, whichever is the most recent.
4. The names and residential addresses of the corporation's directors, including municipality, street and number, if any, and postal code.
5. The date on which each director became a director and, where applicable, the date on which a director ceased to be a director.
6. If the corporation is a corporation with share capital, a statement as to whether each director is or is not a resident Canadian.
7. The names and residential addresses, including municipality, street and number, if any, and postal code, of the corporation's president, secretary, treasurer and general manager, or the holders of any equivalent offices.
8. The date on which each person referred to in paragraph 7 became an officer, and, where applicable, the date on which an officer ceased to be an officer.
9. The address of the corporation's head or registered office and, if different from the head or registered office, its principal place of business in Ontario, including municipality, street and number, if any, and postal code, in each case. O. Reg. 12/91, s. 1, *part*.

2. An initial notice under subsection 3 (1) of the Act shall set out the following information in respect of an extra-provincial corporation:

1. The name of the corporation.
2. The Ontario corporation number of the corporation.
3. The date of its incorporation, continuation or amalgamation, whichever is the most recent.
4. The name of the jurisdiction in which the corporation was incorporated, continued or amalgamated, whichever is the most recent.
5. The address of the corporation's head or registered office, including municipality, street and number, if any, and postal code.
6. The date on which the corporation commenced activities in Ontario, and, where applicable, the date on which it ceased activities in Ontario.
7. The name and office address of the corporation's chief officer or manager in Ontario, if any, including municipality, street and number, if any, and postal code, the date on which the person assumed this position, and, where applicable, the date on which the person ceased to hold this position.
8. The address of the corporation's principal office in Ontario, if any, including municipality, street and number, if any, and postal code.
9. If the corporation is required by law to have an agent for service in Ontario, the name and address of its agent, including municipality, street and number, if any, and postal code, and the Ontario corporation number of the agent, if the agent is a corporation. O. Reg. 12/91, s. 2.

3. REVOKED: O. Reg. 12/91, s. 3.

4., 5. REVOKED: O. Reg. 123/91, s. 1.

6. The following classes of corporations are exempt from filing under section 2 and 3 of the Act:

1. Corporations subject to the *Bank Act* (Canada).
2. Corporations that operate railways or telegraph lines or carry on the business of a railway express company or the business of leasing or hiring railway sleeping, parlour or dining cars in Ontario.
3. Corporations subject to the *Telephone Act*.

. . . . .

6. International Bank for Reconstruction and Development approved by the *Bretton Woods and Related Agreements Act* (Canada).
7. Municipalities within the meaning of the *Municipal Affairs Act*.

R.R.O. 1980, Reg. 189, s. 8; O. Reg. 838/82, s. 1; O. Reg. 698/88, s. 1; O. Reg. 12/91, s. 4.

7. The director, deputy director, manager of examination and notice section, controller of records and registrar of partnerships of the Companies Branch of the Ministry may sign any certificate for the purposes of section 20 of the Act. O. Reg. 231/85, s. 1, *part*.

8. The fees set out in the Schedule shall be paid to the Treasurer of Ontario. R.R.O. 1980, Reg. 189, s. 10.

Schedule

FEES

1. Subject to item 2, for the search of each name or style registered not more than five years prior to

the date of the request for the search and, when requested, for a copy of the registration, if any $6.00

2. For each copy of each registration renewal or withdrawal of a name or style filed under the Act during a specified day or days, where requested in advance and no search is required 0.60

3. For a search for each name or style registered not more than ten years and five years or more prior to the date of the request for the search and, when requested, for a copy of the registration, if any 30.00

4. For certification of a copy of a registration, renewal or withdrawal of a statement of a name or style under the Act 21.00

5. For searches in person or by letter to determine if any documents are on file with the Minister under the Act or a predecessor of it, including purchase of a diazo or microfilm copy of the contents of all such documents, if any, for each corporation 6.00

6. For copies of the contents of documents and notices on file under the Act or a predecessor of it in the Ministry, 60 cents a page with a minimum fee of $6 in respect of each corporation.

7. For certification of the contents of notices or documents, $21 in respect of each corporation.

8. For the certification of a diazo or microfilm copy of the contents of notices and documents, $21 in respect of each corporation.

The following are not required to pay fees under items 1 to 6:

1. A ministry of the Government of Ontario or any agency, board or commission of it, including the offices of sheriffs and land registrars,

2. A ministry or department of the Government of Canada or of a territory or another province of Canada that has reciprocal arrangements or an agency, board or commission of any of them, or

3. A police or fire department or a licensing agency of an Ontario municipality.

O. Reg. 362/90, s. 1, *revised.*

Forms 1, 2 REVOKED: O. Reg. 12/91, s. 5.

Note: Amendments made to this Regulation by Ontario Regulation 12/91 have been included but do not come into force until the 28th day of January, 1991.

Amendments made to this Regulation by Ontario Regulation 123/91 have been included but do not come into force until the 1st day of May, 1991.

Corporations Tax Act
Loi sur l'imposition des corporations

REGULATION 183

GENERAL

PART I
DEDUCTIONS IN RESPECT OF OIL OR GAS WELLS AND MINERAL RESOURCES

101.—(1) In this Part,

"Canadian exploration and development expenses incurred in oil or gas operations" means that part of the corporation's Canadian exploration and development expenses that is,

(a) a drilling or exploration expense, including any general geological or geophysical expense incurred on or in respect of exploring or drilling for petroleum or natural gas in Canada,

(b) an expenditure incurred for the purpose of,

(i) exploration in respect of, or

(ii) development of,

a petroleum deposit for the purpose of gaining or producing income from the extraction of material from such deposit, or

(c) the cost of a Canadian oil or gas resource property;

"Canadian exploration and development expense" has the meaning given to that expression by subsection 18 (15) of the Act;

"Canadian exploration and development overhead expense" means an expense described in subsections 1206 (1), (5), (6) and (7) of the regulations made under the *Income Tax Act* (Canada);

"Canadian oil and gas exploration expense" means an expense so described in subsection 1206 (1) of the regulations made under the *Income Tax Act* (Canada);

"Canadian oil or gas resource property" means a Canadian resource property that is,

(a) described in subparagraph 66 (15) (c) (i), clause A of subparagraph 66 (15) (c) (ii), or subparagraph 66 (15) (c) (iii) or (iv) of the *Income Tax Act* (Canada), or

(b) described in clause B of subparagraph 66 (15) (c) (ii), or subparagraph 66 (15) (c) (v) or (vi) of the *Income Tax Act* (Canada) on the assumption that the only mineral resource referred to therein was a petroleum deposit, or

(c) a right to or interest in any property, other than property of a trust, described in clause (a) or (b), including a right to receive proceeds of disposition in respect of a disposition thereof;

"conventional lands" has the meaning given to that expression by subsection 1206 (1) of the regulations made under the *Income Tax Act* (Canada);

"earned depletion base" of a corporation as of a particular time means the amount by which 33⅓ per cent of the aggregate of,

(a) three times its earned depletion base as at the end of its last taxation year ending before the 20th day of April, 1977, as determined under subsection (2),

(b) all expenditures (other than expenditures to acquire property under circumstances that entitled it to a deduction under section 104 or would so entitle it if the amounts referred to in subparagraphs 1202 (2) (a) (i) and (ii) or paragraphs 1202 (3) (a) and (b), as the case may be, of the regulations made under the *Income Tax Act* (Canada) as adopted by the said section 104, were sufficient for the purpose) each of which was,

(i) a Canadian exploration and development expense incurred in oil or gas operations other than,

(A) a cost of borrowing capital, including any cost incurred prior to the commencement of carrying on a business, that was a Canadian exploration and development expense or an exploration, prospecting and development expense, as the case may be, of the corporation,

(B) the cost to it of any Canadian oil or gas resource property acquired by it,

(C) a Canadian exploration and development expense that was incurred after a petroleum deposit had come into production in reasonable commercial quantities and may reasonably be considered to be related to the petroleum deposit or to a potential or actual extension thereof,

(D) a Canadian exploration and development expense which has been renounced by the corporation under subsection 18 (5) of the Act,

(E) an amount that, by virtue of clause (d) of the definition of "Canadian exploration and development expenses" in subsection 18 (15) of the Act was a Canadian exploration and development expense, if such amount was a cost or expense referred to in sub-subclause (A), (B), (C) or (D) that was incurred by an association, partnership or syndicate referred to in the said clause (d), or

(F) an amount that by virtue of clause (e) of the definition of "Canadian exploration and development expenses" in subsection 18 (15) of the Act was a Canadian exploration and development expense, if such amount was a cost or expense referred to in sub-subclause (A), (B), (C) or (D) that the corporation incurred pursuant to an agreement referred to in the said clause (e),

(ii) a Canadian exploration expense incurred after the 19th day of May, 1981 which qualifies for the purposes of subparagraph 1205 (1) (a) (ii) of the regulations made under the *Income Tax Act* (Canada) and was incurred in connection with oil or gas exploration,

(iii) a Canadian oil and gas exploration expense incurred after 1980 and before 1984 which qualifies for the purposes of subparagraph 1205 (1) (a) (v) of the regulations made under the *Income Tax Act* (Canada),

(iv) an expenditure incurred by the corporation that qualifies for the purposes of subparagraph 1205 (1) (a) (vi) of the regulations made under the *Income Tax Act* (Canada) other than clause (A) thereof or that portion of an expenditure incurred by the corporation that qualifies for the purposes of clause 1205 (1) (a) (vi) (A) of the regulations made under the *Income Tax Act* (Canada),

(c) all expenditures that qualify for the purposes of paragraphs 1205 (1) (b) and (c) of the regulations made under the *Income Tax Act* (Canada) that were incurred by the corporation in connection with a petroleum deposit, and

(d) three times the aggregate of all amounts each of which is an amount equal to the lesser of,

(i) the amount determined under clause 108 (1) (a), and

(ii) the amount determined under clause 108 (1) (b),

in computing its income for a taxation year ending before the particular time,

exceeds the aggregate of,

(e) all amounts deducted by the corporation under clause 103 (a) in computing its income for all taxation years ending after the 19th day of April, 1977 and before the particular time,

(f) 33⅓ per cent of the aggregate of all amounts, each of which is a cost of borrowing capital, including any cost incurred prior to the commencement of carrying on a business, that was included in the capital cost to it of depreciable property described in subclause (b) (iv) or clause (c),

(g) 33⅓ per cent of the aggregate of all amounts, each of which is an amount that became receivable by the corporation after the 28th day of April, 1978 and before the earlier of the 20th day of May, 1981 and the particular time and in respect of which the consideration given by the corporation therefor was a property (other than a share, or a property that would have been a Canadian resource property if it had been acquired by the corporation at the time the consideration was given) or services the cost of which may reasonably be regarded as having been primarily an expenditure that was added in computing the corporation's earned depletion base by virtue of clause (b) or in computing the earned depletion base of a predecessor corporation (within the meaning given to that expression by subsection 104 (2)) by virtue of clause (b) as it applied to the predecessor corporation where the corporation is a successor corporation (within the meaning given to that expression by subsection 104 (2)) or a second successor corporation (within the meaning given to that expression by subsection 104 (2)) to the predecessor corporation, as the case may be,

(h) 33⅓ per cent of the aggregate of all amounts, each of which is an amount in respect of a disposition of property (other than a disposition of property that had been used by the corporation to any person with whom the corporation was not dealing at arm's length) of the corporation after the 28th day of April, 1978 and before the earlier of the 20th day of May, 1981 and the particular time, the capital cost of which was added in computing the corporation's earned depletion base by virtue of clause (c) or in computing the earned depletion base of a predecessor corporation by virtue of clause (c) as it applied to the predecessor corporation where the corporation is a successor corporation or a second successor corporation to the predecessor corporation, as the case may be, and each of which is the amount that is equal to the lesser of,

(i) the proceeds of disposition of the property, and

(ii) the capital cost of the property to the taxpayer or the predecessor corporation, as the case may be, computed as if no amount had been included therein that is a cost of borrowing capital, including any cost incurred prior to the commencement of carrying on a business,

(i) an amount described in paragraph 1205 (1) (j) of the regulations made under the *Income Tax Act* (Canada),

(j) where the corporation is a predecessor corporation, any amount required by paragraph 1202 (2) (b) of the regulations under the *Income Tax Act* (Canada) as made applicable by subsection 104 (2) of this Regulation to be deducted before the particular time in computing the corporation's earned depletion base, and

(k) the amount, if any, by which,

(i) the aggregate of all amounts that would be determined under clauses 109 (2) (b) and (c),

exceeds,

(ii) the aggregate that would be determined under clause 109 (2) (a),

in computing the supplementary depletion base at the particular time, multiplied by,

(iii) in respect of the 1984 taxation year, ¼,

(iv) in respect of the 1985 taxation year, ½,

(v) in respect of the 1986 taxation year, ¾, and

(vi) in respect of taxation years after 1986, 1;

"disposition of property" has the meaning given to that expression by paragraph 13 (21) (c) of the *Income Tax Act* (Canada);

"enhanced recovery equipment" has the meaning given to that expression by subsection 1206 (1) of the regulations made under the *Income Tax Act* (Canada);

"joint exploration corporation" has the meaning given to that expression by subsection 18 (15) of the Act;

"non-conventional lands" has the meaning given to that expression by subsection 1206 (1) of the regulations made under the *Income Tax Act* (Canada);

"oil or gas well" has the meaning given to that expression by subsection 18 (15) of the Act;

"petroleum deposit" means a mine that is a location in a bituminous sands deposit, oil sands deposit or oil shale deposit from which material is extracted;

"proceeds of disposition" of property has the meaning given to that expression by paragraph 13 (21) (d) of the *Income Tax Act* (Canada);

"resource" means a mineral resource in Canada;

"resource profits from oil or gas operations" of a corporation for a taxation year means the amount, if any, by which the aggregate of,

(a) the amount, if any, by which the aggregate of,

(i) the aggregate of the amounts, if any, included in computing its income for the year by virtue of subsection 59 (2) and paragraphs 59 (3.2) (b) and 59.1 (b) of the *Income Tax Act* (Canada), as made applicable by section 15 of the Act, and

(ii) the amount, if any, by which the amount included in computing its income for the year by virtue of paragraph 59 (3.2) (c) of the *Income Tax Act* (Canada), as made applicable by section 15 of the Act, exceeds the proceeds of disposition of properties described in clause 66 (15) (c) (ii) (A) of the *Income Tax Act* (Canada) that became receivable by the corporation after the 31st day of December, 1982, to the extent that such proceeds have not been deducted in determining the amount under this subclause for a prior taxation year,

from the disposition of a Canadian oil and gas resource property or that would have been a Canadian oil or gas resource property if it had been acquired after 1971, exceeds,

(iii) the aggregate of the amounts, if any, deducted in computing its income for the year in respect of such disposition by virtue of,

(A) paragraph 59.1 (a) of the *Income Tax Act* (Canada), as made applicable by subsection 15 (1) of the Act, and

(B) subsections 64 (1.1) and (1.2) of the *Income Tax Act* (Canada), as made applicable by section 16 of the *Corporations Tax Act*, R.S.O. 1980, c. 97, as it then read, in respect of a disposition occurring before the 13th day of November, 1981 or by virtue of subsections 16 (1) and (1a) of the *Corporations Tax Act*, R.S.O. 1980, c. 97, as it then read, in respect of a disposition occurring after the 12th day of November, 1981, and

(b) the amount, if any, of the aggregate of its income for the taxation year from,

(i) the production in Canada of petroleum, natural gas or related hydrocarbons from oil or gas wells in Canada operated by it,

(ii) the production in Canada of petroleum, natural gas or related hydrocarbons from petroleum deposits in Canada operated by it, and

(iii) the processing in Canada of heavy crude oil recovered from an oil or gas well in Canada to any stage that is not beyond the crude oil stage or its equivalent, and

(c) subject to subsection (14), the aggregate of amounts, each of which was included in computing its income for the year and was in respect of a rental or royalty that was computed by reference to the amount or value of production from a property that is an oil or gas well in Canada or from a petroleum deposit in Canada and from which a person (other than a person who was exempt from tax under Part II of the Act at any time in the 24 months before the amount was paid or payable) had a right to take or remove petroleum, natural gas or related hydrocarbons,

exceeds,

(d) the aggregate of its losses for the year from the sources of income described in clause (b),

computed in accordance with the Act on the assumption that it had during the year no incomes or losses except from those sources and was allowed no deductions in computing its income for the year other than,

(e) amounts deducted or deductible under section 18 or 19 of the Act (other than an amount in respect of a property described in subclause (a) (ii)) or subsection 17 (2) or (6) or section 29 of *The Corporations Tax Application Rules, 1972*, for the year, and

(f) such other deductions for the year as may reasonably be regarded as applicable to the sources of income described in clause (b) or (c) other than a deduction under section 103, subsection 104 (2), section 106 or section 109;

"resource profits from mining operations" of a corporation for a taxation year means the amount, if any, by which the aggregate of,

(a) the amount by which,

(i) the aggregate of the amounts, if any, included in computing its income for the year by virtue of subsection 59 (2) and paragraphs 59 (3.2) (b) and (c) of the *Income Tax Act* (Canada) as made applicable by subsection 15 (2) of the Act and paragraph 59.1 (b) of the *Income Tax Act* (Canada) as made applicable by subsection 15 (1) of the Act,

exceeds ,

(ii) the aggregate of the amounts, if any, deducted in computing its income for the year by virtue of,

(A) paragraph 59.1 (a) of the *Income Tax Act* (Canada), as made applicable by subsection 15 (1) of the Act, and

(B) subsections 64 (1.1) and (1.2) of the *Income Tax Act* (Canada), as made applicable by section 16 of the *Corporations Tax Act*, R.S.O. 1980, c. 97, as it then read, in respect of a disposition occurring before the 13th day of November, 1981, and by virtue of subsections 16 (1) and (1a) of the *Corporations Tax Act*, R.S.O. 1980, c. 97, as it then read, in respect of a disposition occurring after the 12th day of November, 1981,

to the extent that such amounts have not been included under clause (a) of the definition of "resource profits from oil or gas operations",

(b) the amount, if any, of the aggregate of its income for the taxation year from,

(i) the production in Canada of metals or minerals to any stage that is not beyond the prime metal stage or its equivalent, from mineral resources (other than petroleum deposits) in Canada operated by it,

(ii) the processing in Canada of ores from mineral resources (other than petroleum deposits) in Canada not operated by it to any stage that is not beyond the prime metal stage or its equivalent, and

(iii) the processing in Canada of ores from mineral resources (other than petroleum deposits) outside Canada to any stage that is not beyond the prime metal stage or its equivalent, and

(c) subject to subsection (14), the aggregate of amounts, each of which was included in computing its income for the year and was in respect of a rental or royalty that was computed by reference to the amount or value of production from a

property that is a mineral resource (other than a petroleum deposit) in Canada and from which a person (other than a person who was exempt from tax under Part II of the Act at any time in the 24 months before the amount was paid or payable) had a right to take or remove metals or minerals,

exceeds,

(d) the aggregate of its losses for the year from the sources of income described in clause (b),

computed in accordance with the Act, on the assumption that it had during the year no income or losses except from those sources and was allowed no deductions in computing its income for the year other than,

(e) amounts deducted or deductible under section 18 or 19 of the Act or subsection 17 (2) or (6) or section 29 of *The Corporations Tax Application Rules, 1972*, for the year, to the extent that they have not been deducted under clause (e) of the definition of "resource profits from oil or gas operations", and

(f) such other deductions for the year as may reasonably be regarded as applicable to the sources of income described in clause (b) or (c);

"shareholder corporation" has the meaning given to that expression by subsection 18 (15) of the Act;

"tertiary recovery equipment", "qualified tertiary oil recovery project" and "secondary recovery method" have, respectively, the meanings given to those expressions by subsection 1206 (1) of the regulations made under the *Income Tax Act* (Canada). O. Reg. 254/82, s. 1 (1), *part*; O. Reg. 763/86, s. 1 (1-13).

(2) For the purpose of the definition of "earned depletion base" in subsection (1), a corporation's "earned depletion base as at the end of its last taxation year ending before the 20th day of April, 1977" is that proportion of its earned depletion base as of the end of its last taxation year ending before the 20th day of April, 1977 determined in accordance with section 1205 of the regulations made under the *Income Tax Act* (Canada) that,

(a) the amount by which the aggregate of,

(i) expenditures described in clause (b) of the definition of "earned depletion base", and any amount that would have been such an expenditure if it had been incurred after 1971, and

(ii) expenditures described in clause (c) of the definition of "earned depletion base",

that were incurred by the corporation after the 7th day of November, 1969 and before the end of that taxation year, and that are included in clause (b) of this subsection, exceeds three times the amounts referred to in clause (f) of the definition of "earned depletion base" that were incurred by the corporation after the 7th day of November, 1969 and before the end of that taxation year,

is of,

(b) the amount by which the aggregate of expenditures included under paragraphs 1205 (1) (a), (b), (c) and (d) of the regulations made under the *Income Tax Act* (Canada), incurred before the end of that taxation year exceeds three times any amount deducted under paragraph 1205 (1) (f) before the end of that taxation year. O. Reg. 254/82, s. 1 (1), *part*; O. Reg. 763/86, s. 1 (14).

(3) For the purposes of clause (e) of the definition of "earned depletion base" in subsection (1), where a corporation has a taxation year that ends after the 19th day of April, 1977 and that includes that day, the amount deductible under clause 103 (a) for that taxation year shall be deemed to be the proportion of the amount deductible under clause 103 (a) determined on the assumption that this Regulation applied to the whole of the taxation year, that the number of days in the taxation year that follow the 19th day of April, 1977, bears to the total number of days in that taxation year.

(4) Income or loss from a source described in clause (b) of of the definition of "resource profits from oil or gas operations" in subsection (1) does not include income or loss derived from transporting, transmitting or processing (other than processing described in subclause (b) (iii) of that definition), petroleum, natural gas or related hydrocarbons.

(5) Where a corporation has income from sources described in clause (a) or (b) of of the definition of "resource profits from oil or gas operations" in subsection (1) and also income from sources described in clause (a) or (b) of the definition of "resource profits from mining operations" in subsection (1), the only amounts deductible under clause (e) of the definition of "resource profits from oil or gas operations" in subsection (1) shall be those expenses deducted or deductible under section 18 or 19 of the Act or subsections 17 (2) or (6) or section 29 of *The Corporations Tax Application Rules, 1972* that were incurred in oil or gas operations. O. Reg. 254/82, s. 1 (1), *part*.

(6) For the purposes of this Part, other than section 108, where at the end of a fiscal period of a partnership a corporation is a member thereof,

(a) the resource profits from oil or gas operations or the resource profits from mining operations, as the case may be, of the partnership for the fiscal period, to the extent of the corporation's share thereof, shall be included in computing the corporation's resource profits from oil or gas operations or the corporation's resource profits from mining operations, as the case may be, for its taxation year in which the fiscal period ended;

(b) any property acquired or disposed of by the partnership shall be deemed to have been acquired or disposed of by the corporation to the extent of its share thereof;

(c) any property deemed by clause (b) to have been acquired or disposed of by the corporation shall be deemed to have been acquired or disposed of by it on the day the property was acquired or disposed of by the partnership;

(d) any amount that has become receivable by the partnership and in respect of which the consideration given by the partnership therefor was property (other than property referred to in paragraph 59 (2) (a), (c) or (d) of the *Income Tax Act* (Canada) as made applicable by section 15 of the Act, as those paragraphs read on the 31st day of December, 1984, or a share or interest therein or right thereto) or services, all or part of the original cost of which to the partnership may reasonably be regarded as primarily an exploration or development expense of the corporation, shall be deemed to be an amount receivable by the corporation to the extent of its share thereof, and the consideration so given by the partnership shall, to the extent of the corporation's share thereof, be deemed to have been given by the corporation for the amount deemed to be receivable by it;

(e) any expenditure incurred by the partnership shall be deemed to have been incurred by the corporation to the extent of its share thereof; and

(f) any amount or expenditure deemed by clause (d) or (e) to have been receivable or incurred, as the case may be, by the corporation shall be deemed to have become receivable or been incurred, as the case may be, by it on the day the amount become receivable or the expenditure was incurred by the partnership. O. Reg. 254/82, s. 1 (2); O. Reg. 763/86, s. 1 (15).

(7) For the purposes of sections 103 and 104 and the definition of "earned depletion base" in subsection (1), where a corporation was a member of a partnership at the end of a fiscal period of the partnership, the corporation shall be deemed to receive or to become entitled to receive any amount of assistance or benefit, whether such amount is by way of a grant, subsidy, rebate, forgiveable loan, deduction from royalty or tax, rebate or royalty or tax, investment allowance or any other form of assistance or benefit, that the partnership at any time receives or becomes entitled to receive in respect of expenses incurred in the fiscal period of the partnership, to the extent of,

(a) where the partnership in the fiscal period receives or becomes entitled to receive the amount, the corporation's share thereof; or

(b) where the partnership after the fiscal period becomes entitled to receive the amount, what would have been the corporation's share thereof if the partnership had in the fiscal period received or become entitled to receive the amount,

and the time at which the corporation is deemed to receive or become entitled to receive such share of the amount shall be the time that the partnership receives or becomes entitled to receive the amount. O. Reg. 763/86, s. 1 (16).

(8) For the purposes of this Part, where an expense incurred after the end of the corporation's last taxation year ending before the 20th day of April, 1977, that was,

(a) a Canadian exploration and development expense, other than the cost of a Canadian resource property acquired by a joint exploration corporation;

(b) a Canadian exploration expense; or

(c) a Canadian development expense, other than an amount referred to in subparagraph 66.2 (5) (a) (iii) of the *Income Tax Act* (Canada),

has been renounced before 1982 in favour of the corporation and was deemed to be an expense of the corporation for the purposes of subsection 18 (5) or (6) of the Act, that expense, if it is not an amount referred to in paragraph 21 (2) (b) or subsection 21 (4) of the *Income Tax Act* (Canada), shall be deemed to have been a Canadian exploration and development expense, a Canadian exploration expense or a Canadian development expense, as the case may be, incurred by the corporation.

(9) Where an expense incurred after the end of a corporation's last taxation year ending before the 20th day of April, 1977 that was,

(a) a Canadian exploration and development expense, other than the cost of a Canadian resource property acquired by a joint exploration corporation;

(b) a Canadian exploration expense; or

(c) a Canadian development expense, other than an amount referred to in subparagraph 66.2 (5) (a) (iii) of the *Income Tax Act* (Canada),

has been renounced after 1981 in favour of the corporation and was deemed to be an expense of the corporation for the purposes of subsection 18 (5) or (6) of the Act, the expense, if it is not an amount in respect of financing, shall be deemed,

(d) to have been such an expense, for the purpose of the definition of "earned depletion base" in subsection (1), incurred by the corporation at the time the expense was incurred by the joint exploration corporation; and

(e) to have been such an expense, for the purposes of section 108 and the definitions of "resource profits from oil or gas operations" and "resource profits from mining operations" in subsection (1), incurred by the corporation at the time it was deemed to have been incurred for the purposes of subsection 18 (5) or (6) of the Act.

(10) An expense that is a Canadian exploration and development overhead expense of a joint exploration corporation that may reasonably be considered to be included in a Canadian exploration expense or Canadian development expense deemed by subsection (9) to be an expense of a shareholder corporation of the joint exploration corporation, shall be deemed,

(a) to be a Canadian exploration and development overhead expense of the shareholder corporation, incurred at the time the Canadian exploration expense or Canadian development expense is deemed by subsection (9) to have been incurred by the shareholder corporation; and

(b) at and after that time, not to be a Canadian exploration and development overhead expense incurred by the joint exploration corporation.

(11) For the purposes of subsection (10), a Canadian exploration and development overhead expense of a joint exploration corporation shall include any expense that would be a Canadian exploration and development overhead expense of the joint exploration corporation if the references to "connected with the taxpayer" in paragraph (d) of the definition of "Canadian exploration and development overhead expense" in subsection 1206 (1) of the regulations made under the *Income Tax Act* (Canada), as made applicable by the definition of "Canadian exploration and development overhead expense" in subsection (1), were read as "connected with the shareholder corporation in favour of whom the expense was renounced by the joint exploration corporation for the purposes of subsection 18 (6) of the Act". O. Reg. 763/86, s. 1 (17).

(12) For the purposes of this Part, a person who has an interest in the proceeds of production from,

(a) an oil or gas well in Canada; or

(b) a mineral resource in Canada,

under an agreement providing that the person is to share in the profits remaining after deducting the operating costs of the oil or gas well or mineral resource, as the case may be, shall be deemed to be a person who operates the oil or gas well or mineral resource, as the case may be.

(13) A reference to "the Act" in this Part and elsewhere in this Regulation is a reference to the *Corporations Tax Act*. R.R.O. 1980, Reg. 191, s. 101 (8, 9).

(14) For the purpose of determining the resource profits from oil or gas operations or the resource profits from mining operations of a corporation from rentals or royalties computed by reference to the amount or value of production from a property that is an oil or a gas well or a petroleum deposit in Canada or a mineral resource in Canada, as the case may be, where,

(a) before the 12th day of December, 1979, a person, other than the corporation or a person related to the corporation, has disposed of the property to a person who was exempt from tax under Part II of the Act; and

(b) the corporation had an interest in the property immediately before the time of disposition and had held that interest continually since that time,

clauses (c) of the definition of "resource profits from oil or gas operations" in subsection (1) and clause (c) of the definition of "resource profits from mining operations" in subsection (1) shall be read without reference to the words "other than a person who was exempt from tax under Part II of the Act at any time in the 24 months before the amount was paid or payable". O. Reg. 254/82, s. 1 (3).

102. For the purposes of section 17 of the Act, there may be deducted in computing a corporation's income for a taxation year such of the amounts determined in accordance with sections 103 to 107 and section 109 as are applicable. R.R.O. 1980, Reg. 191, s. 102.

103. In computing a corporation's income for a taxation year there may be deducted the aggregate of such of the following amounts as are applicable,

(a) such amount as it may claim not exceeding the lesser of,

(i) the aggregate of,

(A) 25 per cent of the amount, if any, by which its resource profits from oil or gas operations for the year exceeds four times the aggregate of amounts, if any, deducted under subsection 104 (2) in computing its income for the year, and

(B) the aggregate of amounts, if any, included in computing its income for the year by virtue of paragraphs 59 (3.3) (a) and (b) of the *Income Tax Act* (Canada),

(ii) its earned depletion base as of the end of the year, before making any deduction under this section for the year; and

(b) an amount equal to 33⅓ per cent of the amount, if any, of its resource profits from mining operations for the year. R.R.O. 1980, Reg. 191, s. 103; O. Reg. 254/82, s. 2.

104.—(1) For the purposes of computing the earned depletion base of a corporation, where, after the 19th day of April, 1977 and before the 13th day of November, 1981, control of the corporation is considered to have been acquired for the purposes of subsection 66 (11) of the *Income Tax Act* (Canada) by a person or persons who did not control the corporation at the time when it last ceased to carry on active business, the amount by which the earned depletion base of the corporation at that time exceeds the aggregate of amounts otherwise deducted under section 103 in computing its income for taxation years ending after that time and before control was so acquired, shall be deemed to have been deducted under section 103 by the corporation in computing its income for taxation years ending before such acquisition of control. O. Reg. 763/86, s. 2 (1).

(2) The rules set out in subsections 1202 (2), (3), (4), (5) and (6) of the regulations made under the *Income Tax Act* (Canada) apply for the purposes of this section in so far as they apply to income from the production of oil or gas from an oil or gas well or a petroleum deposit except that, in the application of paragraph 1202 (4) (b) of those regulations for the purposes of this section, the reference therein to Part I of the *Income Tax Act* (Canada) shall be deemed to be a reference to Part II of the Act. O. Reg. 763/86, s. 2 (2).

ADDITIONAL ALLOWANCE IN RESPECT OF CERTAIN MINES

105.—(1) Subject to subsection (2), a corporation that operates in Canada a mine for the production of materials from a resource may deduct in computing its income for a taxation year such amounts as it may claim not exceeding 33⅓ per cent of the amount determined under subsection 1209 (2) of the regulations made under the *Income Tax Act* (Canada).

(2) The amount that may be claimed under subsection (1) shall not exceed the amount by which,

(a) the amount determined under subsection 1209 (2) of the regulations made under the *Income Tax Act* (Canada),

exceeds,

(b) the amount that is the aggregate of,

(i) the amounts, in respect of the amount determined under subsection 1209 (2), deducted pursuant to section 17 of the Act or subsection 62 (1) of the *Corporations Tax Act, 1972*, as that subsection read in its application to taxation years ending before the 20th day of April, 1977 in computing the income of the corporation in previous taxation years, and

(ii) the amounts, in respect of the amount determined under the said subsection 1209 (2), deducted in computing the income of the corporation under any predecessor Act. R.R.O. 1980, Reg. 191, s. 106.

FRONTIER EXPLORATION ALLOWANCES

106.—(1) A corporation may deduct in computing its income for a taxation year such amount as it may claim not exceeding the lesser of,

(a) its income for the year, computed in accordance with Part II of the Act, if no deduction were allowed under this subsection; and

(b) its frontier exploration base as of the end of the year (before making any deduction under this subsection for the year).

(2) For the purposes of this section, the "frontier exploration base" of a corporation as of a particular time means the amount by which,

(a) the amount in respect of a particular oil or gas well in Canada determined under paragraphs 1207 (2) (a) and (a.1) of the regulations made under the *Income Tax Act* (Canada),

exceeds the aggregate of,

(b) all amounts deducted by the corporation under subsection (1) in computing its income for taxation years ending before the particular time; and

(c) all amounts deducted under paragraphs 1207 (2) (c) and (d) of the regulations made under the *Income Tax Act* (Canada) in computing the corporation's frontier depletion base at that particular time for the purposes of that Act.

(3) For the purposes of this section, the term "oil or gas well" shall include any probe drilled for the purposes of determining the existence, location, extent or quality of an accumulation of petroleum or natural gas, other than a mineral resource. R.R.O. 1980, Reg. 191, s. 107.

ADDITIONAL ALLOWANCE IN RESPECT OF FOREIGN OIL AND GAS WELLS

107.—(1) Where a corporation has income for a taxation year from an oil or gas well that is outside Canada, in computing its income for the taxation year, it may deduct the lesser of,

(a) the aggregate of drilling costs incurred by it in that taxation year and previous taxation years in respect of the well (not including the cost of land, leases or other rights and not including indirect expenses such as general exploration, geological and geophysical expenses) minus the aggregate of all amounts deductible in respect thereof in computing its income for previous taxation years; and

(b) that part of its income for the taxation year that may reasonably be regarded as income from the well.

(2) Where a corporation has more than one oil or gas well to which subsection (1) applies, the allowance in respect of the drilling

costs of each well shall be computed separately. R.R.O. 1980, Reg. 191, s. 108.

RESOURCE ALLOWANCE

108.—(1) Subject to subsection (2), for the purposes of clause 11 (10) (b) of the Act, there may be deducted in computing the income of a corporation for a taxation year an amount equal to 25 per cent of the amount, if any, by which,

(a) its resource profits from oil or gas operations for the year, within the meaning of the definition of "resource profits from oil or gas operations" in subsection 101 (1) if that definition were read without reference to clause (a) thereof, computed as if no amounts were deducted in computing those resource profits,

(i) in respect of a rental or royalty paid or payable by the corporation (other than an incremental resource royalty, within the meaning assigned by the *Petroleum and Gas Revenue Tax Act* (Canada), an amount prescribed in section 1211 of the regulations made under the *Income Tax Act* (Canada) or an amount that is a production royalty) computed by reference to the amount or value of petroleum, natural gas or related hydrocarbons produced after the 31st day of December, 1981 from a property that is an oil or gas well in Canada,

(ii) in respect of financing, or

(iii) under clause 11 (10) (b) of the Act or clause (e) of the definition of "resource profits from oil or gas operations" in subsection 101 (1),

exceeds the aggregate of,

(b) the aggregate of all amounts each of which is a Canadian exploration and development overhead expense made or incurred by the corporation in the year, other than an amount included therein,

(i) that is in respect of financing, or

(ii) in respect of which a person has received, is entitled to receive or at any time becomes entitled to receive,

(A) an incentive under the *Petroleum Incentives Program Act* (Canada), or

(B) a payment from the Alberta Petroleum Incentives Program Fund under the *Petroleum Incentives Program Act* (Alberta); and

(c) the aggregate of all amounts each of which is an amount included in its resource profits from oil or gas operations for the year that was a rental or royalty, other than a production royalty, computed by reference to the amount or value of petroleum, natural gas or related hydrocarbons produced after the 31st day of December, 1981 from an oil or gas well in Canada.

(2) In respect of taxation years ending after 1983, the amount deductible under subsection (1) is reduced by the amount, if any, by which,

(a) the aggregate of all amounts determined under clauses (e) to (k) of the definition of "earned depletion base" in subsection 101 (1),

exceeds,

(b) 33⅓ per cent of the aggregate of all amounts determined under clauses (a) to (d) of the definition of "earned depletion base" in subsection 101 (1),

in computing the corporation's earned depletion base at the end of the year. O. Reg. 763/86, s. 3 (1).

(3) Where, in computing the income for a taxation year of a corporation that is a member of a partnership, a deduction is allowed in computing the income of the partnership under clause 11 (10) (b) of the Act, no further deduction may be made by any other person including a member of the partnership in respect of any amount in respect of which that deduction was allowed. R.R.O. 1980, Reg. 191, s. 109 (2).

(4) In this section, "production royalty" means an amount included in computing the income of a corporation as a rental or royalty computed by reference to the amount or value of petroleum, natural gas or related hydrocarbons produced after 1981 from an oil or gas well in Canada, if,

(a) the corporation has a Crown royalty in respect of,

(i) such production, or

(ii) the ownership of property to which such production relates where the Crown royalty is computed by reference to an amount of production from the property; or

(b) the corporation would, but for an exemption or allowance (other than a rate of nil) that is provided by statute by a person referred to in subparagraph 18 (1) (m) (i), (ii) or (iii) of the *Income Tax Act* (Canada), as made applicable by section 12 of the Act, have a Crown royalty determined under clause (a).

(5) For the purposes of the definition of "production royalty" in subsection (4), a "Crown royalty" of a corporation in respect of the production of petroleum, natural gas or related hydrocarbons from an oil or gas well in Canada or in respect of the ownership of a natural reservoir of gas or petroleum in Canada means an amount,

(a) that would be included in computing its income for a taxation year by virtue of paragraph 12 (1) (o) of the *Income Tax Act* (Canada), as made applicable by section 11 of the Act, in respect of such production or ownership if that paragraph were read without reference to the words "or a prescribed amount";

(b) that would not be deductible in computing its income for a taxation year by virtue of paragraph 18 (1) (m) of the *Income Tax Act* (Canada), as made applicable by section 11 of the Act, in respect of such production or ownership if that paragraph were read without reference to the words "other than a prescribed amount";

(c) by which its proceeds of disposition of such production are increased by virtue of subsection 69 (6) of the *Income Tax Act* (Canada), as made applicable by section 26 of the Act; or

(d) by which its cost of acquisition of such production is reduced by virtue of subsection 69 (7) of the *Income Tax Act* (Canada), as made applicable by section 26 of the Act,

less, in respect of an amount described in clause (a) or (b), the amount of any reimbursement referred to in section 80.2 of the *Income Tax Act* (Canada) received or receivable by it in respect thereof. O. Reg. 763/86, s. 3 (2).

SUPPLEMENTARY DEPLETION ALLOWANCES

109.—(1) In computing a corporation's income for a taxation year there may be deducted such amount as it may claim not exceeding the lesser of,

(a) the aggregate of,

(i) 50 per cent of its income for the year, computed in accordance with Part II of the Act, without reference to paragraphs 59 (3.3) (c) and (d) of the *Income Tax Act* (Canada), if no deduction were allowed under this subsection or subsection 106 (1), and

(ii) the amount, if any, included in its income for the year by virtue of paragraphs 59 (3.3) (c) and (d) of the *Income Tax Act* (Canada); and

(b) its supplementary depletion base as at the end of the year (before making any deduction under this subsection for the year). R.R.O. 1980, Reg. 191, s. 110 (1); O. Reg. 254/82, s. 6.

(2) For the purposes of this section, the "supplementary depletion base" of a corporation as of a particular time means the amount by which,

(a) the aggregate of the amounts determined as of that particular time with respect to the corporation under paragraphs 1212 (3) (a), (b) and (c) of the regulations made under the *Income Tax Act* (Canada),

exceeds the aggregate of,

(b) all amounts deducted by the corporation under subsection (1) in computing its income for taxation years ending before the particular time; and

(c) all amounts deducted by the corporation under paragraphs 1212 (3) (e), (f), (g), (h) and (i) of the regulations made under the *Income Tax Act* (Canada) in computing its supplementary depletion base at that particular time for the purposes of that Act.

(3) For the purposes of this section, in computing a corporation's supplementary depletion base, the rules set out in subsections 1212 (2) and (4) of the regulations made under the *Income Tax Act* (Canada) apply, except that the references therein to "subsection (1)" shall be read as references to subsection (1) of this section. R.R.O. 1980, Reg. 191, s. 110 (2, 3).

110. For the purposes of subparagraph 66.1 (2) (a) (ii) of the *Income Tax Act* (Canada) as made applicable by section 19 of the Act, "prescribed deduction" in respect of a particular taxation year means the amount, if any, deducted under subsection 104 (2) by a successor corporation or by a second successor corporation, as the case may be, in computing its income for the year. O. Reg. 254/82, s. 7, *part.*

111. The rules set out in section 1214 of the regulations made under the *Income Tax Act* (Canada) apply for the purposes of this Part. O. Reg. 254/82, s. 7, *part.*

PART II
ALLOWANCES IN RESPECT OF CAPITAL COST

201.—(1) Except as otherwise provided in this section, for the purposes of clause 11 (10) (a) of the Act there is hereby allowed to a corporation as deductions for each taxation year in computing its income from a business or property, as the case may be, such amounts as it may claim in respect of the capital cost to it of property calculated in accordance with sections 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1700, 1701, 1702, 1703 and 1704 and Schedules II, III, IV, V and VI of the regulations made under the *Income Tax Act* (Canada) as such regulations are in force and amended from time to time for the purposes of that Act. R.R.O. 1980, Reg. 191, s. 201 (1).

(2) In the application of section 1100 of the regulations made under the *Income Tax Act* (Canada) for the purposes of this section,

(a) references to "November 12, 1981" in paragraphs 1100 (1) (b), (t), (ta) and (v) and in subsections 1100 (2.1) and (2.2) shall be read as "the 24th day of October, 1985";

(b) references to "November 13, 1981" in paragraph 1100 (1) (ta) and subsection 1100 (2.1) shall be read as "the 25th day of October, 1985";

(c) the reference to "1983" in subsection 1100 (2.1) shall be read as "1987"; and

(d) references to "June 1, 1982" in subsection 1100 (2.1) shall be read as "the 1st day of June, 1986". O. Reg. 763/86, s. 4 (1), *part.*

(3) For the purposes of this section, the provisions of subsection 13 (10) of the *Income Tax Act* (Canada) shall not apply to increase the capital cost of property described in subsection 1102 (15) of the regulations made under that Act.

(4) Subject to subsection (5), where a corporation has, for the purposes of the *Income Tax Act* (Canada), included property in class 28 of Schedule II to the regulations made under that Act, such property shall, for the purposes of the Act, be deemed to be property included in class 10 of Schedule II to those regulations. R.R.O. 1980, Reg. 191, s. 201 (2, 3).

(5) Where a corporation has, for purposes of the *Income Tax Act* (Canada),

(a) included property acquired before the 1st day of January, 1974 in class 28 of Schedule II to the regulations made under that Act, such property shall be deemed to be property included in that class as of the 1st day of January, 1974 for the purposes of the Act, and the provisions of subsection 13 (5) of the *Income Tax Act* (Canada) shall apply for the purposes of the Act and this section;

(b) included property that was acquired after the 31st day of December, 1973 in class 28 of Schedule II to the regulations made under that Act, such property shall, for the purposes of the Act, be included in class 28 of Schedule II to those regulations. R.R.O. 1980, Reg. 191, s. 201 (4); O. Reg. 763/86, s. 4 (2).

(6) In lieu of the additional allowances otherwise allowed under paragraphs 1100 (1) (w) and (x) of the regulations made under the *Income Tax Act* (Canada), a corporation may claim a deduction in computing its income for a taxation year equal to,

(a) such additional amount as it may claim in respect of property described in class 28 of Schedule II to those regulations acquired for the purpose of gaining or producing income from a mine, or in respect of property acquired for the purpose of gaining or producing income from a mine and for which a separate class is or would be prescribed by subsection 1101 (4a) of those regulations, if subsection 1104 (5) of those regulations were read in the manner provided under subsection (7), not exceeding the lesser of,

(i) its income for the year from the mine determined before making any deduction under this clause, clause (b) or section 17, 18 or 19 of the Act or any deduction in respect of exploration and development expenses as permitted under *The Corporations Tax Application Rules, 1972*, and

(ii) the undepreciated capital cost to it of the property of that class as of the end of the taxation year, before making any deduction under this clause for the taxation year; and

(b) such additional amount as it may claim in respect of property described in class 28 of Schedule II to the regulations made under the *Income Tax Act* (Canada) acquired for the purpose of gaining or producing income from more than

one mine and for which a separate class is or would be prescribed by subsection 1101 (4b) of those regulations, if subsection 1104 (5) of those regulations were read in the manner provided under subsection (7), not exceeding the lesser of,

(i) its income for the year from the mines determined before making any deduction under this clause or section 17, 18 or 19 of the Act or any deduction in respect of exploration and development expenses as permitted under *The Corporations Tax Application Rules, 1972*, and

(ii) the undepreciated capital cost to it of the property of that class as of the end of the taxation year, before making any deduction under this clause for the taxation year.

(7) In the application of section 1104 of the regulations made under the *Income Tax Act* (Canada) for the purposes of,

(a) determining if property was acquired for the purpose of gaining or producing income from a mine;

(b) determining if a separate class would be prescribed under subsection 1101 (4a) or (4b) of those regulations for the purposes of subsection (6); and

(c) determining any deduction permitted under this section,

the following rules apply:

1. Subparagraph 1104 (5) (a) (i) shall be read as follows:

(i) ore, other than tar sands ore, from a mineral resource owned by the taxpayer to any stage that is not beyond the prime metal stage or its equivalent,

2. Subparagraph 1104 (5) (c) (i) shall be read as follows:

(i) output, other than tar sands ore, from a mineral resource owned by the taxpayer that has been processed by it to any stage that is not beyond the prime metal stage or its equivalent,

3. Subparagraph 1104 (6) (a) (i) shall be read as follows:

(i) ore, other than tar sands ore, from a mineral resource not owned by the taxpayer to any stage that is not beyond the prime metal stage or its equivalent,

4. Subparagraph 1104 (9) (f) (i) shall be read as follows:

(i) ore, other than tar sands ore, from a mineral resource to any stage that is not beyond the prime metal stage or its equivalent,

5. Subparagraphs 1104 (5) (a) (ii), (5) (c) (ii), (6) (a) (ii) and (9) (f) (ii) shall be deemed not to have been made. O. Reg. 763/86, s. 4 (3).

(8) In lieu of the deduction otherwise allowed by subsection (1), there is hereby allowed to a corporation in computing its income from a business or a property, as the case may be, deductions for each taxation year equal to such amounts as it may claim in respect of property included in class 3, 6 or 8 of Schedule II to the regulations made under the *Income Tax Act* (Canada),

(a) that is,

(i) a grain elevator situated in that part of Canada that is defined in section 2 of the *Canada Grain Act* as the "Eastern Division" the principal use of which,

(A) is the receiving of grain directly from producers for storage or forwarding or both,

(B) is the receiving and storing of grain for direct manufacture or processing into other products, or

(C) has been certified by the Minister of Agriculture (Canada) to be the receiving of grain that has not been officially inspected or weighed,

(ii) an addition to a grain elevator described in subclause (i),

(iii) fixed machinery installed in a grain elevator or in an addition to a grain elevator in respect of which an additional amount has been or may be claimed under clause (e),

(iv) fixed machinery, designed for the purpose of drying grain, installed in a grain elevator described in subclause (i),

(v) machinery designed for the purpose of drying grain on a farm, or

(vi) a building or other structure designed for the purpose of storing grain on a farm;

(b) that was acquired by the corporation after the 31st day of July, 1974 and before 1977; and

(c) that was not used for any purpose whatever before it was acquired by the corporation,

not exceeding the aggregate of,

(d) an amount equal to,

(i) in respect of such property that is included in class 3 of Schedule II to the regulations made under the *Income Tax Act* (Canada), 5 per cent,

(ii) in respect of such property that is included in class 6 of the said Schedule II, 10 per cent, or

(iii) in respect of such property that is included in class 8 of the said Schedule II, 20 per cent,

of the undepreciated capital cost to it as of the end of the taxation year, before making any reduction under this clause for the taxation year, of the property of the class; and

(e) an additional amount that is the lesser of,

(i) where the property is included in class 3, 22 per cent of the capital cost thereof, where the property is included in class 6, 20 per cent of the capital cost thereof, or where the property is included in class 8,

(A) 14 per cent of the capital cost thereof in the case of property referred to in subclause (a) (iii), (iv) or (vi), and

(B) 14 per cent of the lesser of $15,000 and the capital cost thereof in the case of property described in subclause (a) (v), and

(ii) the undepreciated capital cost to it as of the end of the taxation year (before making any deduction under this clause for the taxation year) of property of the class. R.R.O. 1980, Reg. 191, s. 201 (6).

(9) In addition to the deduction otherwise allowed by subsection

(1), there is hereby allowed to a corporation in computing its income from a business or property, as the case may be, a deduction for each taxation year in respect of property included in class 3, 6 or 8 of Schedule II to the regulations made under the *Income Tax Act* (Canada),

(a) that is,

(i) a grain elevator situated in Ontario the principal use of which,

(A) is the receiving of grain directly from producers for storage or forwarding or both,

(B) is the receiving and storing of grain for direct manufacture or processing into other products, or

(C) has been certified by the Minister of Agriculture (Canada) to be the receiving of grain that has not been officially inspected or weighed,

(ii) an addition to a grain elevator described in subclause (i),

(iii) fixed machinery installed in a grain elevator or in an addition to a grain elevator in respect of which an additional amount has been or may be claimed under this subsection,

(iv) fixed machinery, designed for the purpose of drying grain, installed in a grain elevator described in subclause (i),

(v) machinery designed for the purpose of drying grain on a farm in Ontario, or

(vi) a building or other structure designed for the purpose of storing grain on a farm in Ontario;

(b) that was acquired by the corporation after 1976; and

(c) that was not used for any purpose before it was acquired by the corporation,

an amount not exceeding the lesser of,

(d) where the property is included in class 3, 22 per cent of the capital cost thereof, where the property is included in class 6, 20 per cent of the capital cost thereof, or where the property is included in class 8,

(i) 14 per cent of the capital cost thereof in the case of property referred to in subclause (a) (iii), (iv) or (vi), and

(ii) 14 per cent of the lesser of $15,000 and the capital cost thereof in the case of property described in subclause (a) (v); and

(e) the undepreciated capital cost to it as of the end of the taxation year, before making any deduction under this subsection for the taxation year, of property of the class.

(10) Where a taxation year is less than twelve months, the amount allowed as a deduction under subsections (6), (8) and (9) shall not exceed that proportion of the maximum amount otherwise allowable that the number of days in the taxation year is of 365. O. Reg. 763/86, s. 4 (4).

PART III
ALLOCATION OF TAXABLE INCOME

301. For the purpose of section 39 of the Act, the amount of the taxable income of a corporation to which subsection 2 (1) of the Act applies, that shall be deemed to have been earned in a taxation year in each jurisdiction other than Ontario, shall be determined in accordance with the rules set out in sections 302 to 312. R.R.O. 1980, Reg. 191, s. 301.

RULES

302.—(1) Where in a taxation year a corporation had no permanent establishment outside Ontario, all of the corporation's taxable income for the year shall be deemed to have been earned in Ontario.

(2) Where in a taxation year a corporation had no permanent establishment in Ontario, all of the corporation's taxable income for the taxation year shall be deemed to have been earned in jurisdictions other than Ontario. R.R.O. 1980, Reg. 191, s. 302 (1, 2).

(3) Subject to subsection (5), where, in a taxation year, a corporation had a permanent establishment in Ontario and a permanent establishment in a jurisdiction other than Ontario, the amount of the corporation's taxable income that shall be deemed to have been earned in the taxation year in that other jurisdiction is,

(a) in any case other than a case specified in clause (b) or (c), one-half the aggregate of,

(i) that proportion of the corporation's taxable income for the taxation year that the gross revenue for the taxation year attributable to the permanent establishment in that other jurisdiction is of the corporation's total gross revenue for the taxation year, and

(ii) that proportion of the corporation's taxable income for the taxation year that the aggregate of the salaries and wages paid in the taxation year by the corporation to the employees of the permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the corporation;

(b) in any case where the gross revenue for the taxation year of the corporation is nil, that proportion of the corporation's taxable income for the taxation year that the aggregate of the salaries and wages paid in the taxation year by the corporation to employees of the permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the corporation; and

(c) in any case where the aggregate of the salaries and wages paid in the taxation year by the corporation is nil, that proportion of the corporation's taxable income for the taxation year that the gross revenue for the taxation year reasonably attributable to the permanent establishments in that other jurisdiction is of the corporation's total gross revenue for the taxation year. O. Reg. 254/82, s. 8, *part*; O. Reg. 763/86, s. 5 (1).

(4) For the purposes of subsection (3) and section 320 and subject to subsection (5),

(a) where the destination of a shipment of merchandise to a customer to whom the merchandise is sold is in a jurisdiction in which the corporation making the sale has a permanent establishment, the gross revenue derived from the sale is attributable to that permanent establishment;

(b) except as provided in clauses (c) and (d), where the destination of a shipment of merchandise to a customer to whom the merchandise is sold is in a jurisdiction in which the corporation making the sale has no permanent establishment, the gross revenue derived from the sale is attributable to the permanent establishment to which the person negotiating the sale may reasonably be regarded as being attached;

(c) except as provided in clause (e), where the destination of a shipment of merchandise to a customer to whom the mer-

chandise is sold is in a jurisdiction outside Canada in which the corporation making the sale has no permanent establishment,

(i) where the merchandise was produced or manufactured, or produced and manufactured, entirely in one province or territory of Canada by the corporation, the gross revenue derived from the sale is attributable to the corporation's permanent establishment in that province or territory, or

(ii) where the merchandise was produced or manufactured, or produced and manufactured, partly in a province or territory of Canada and partly in another place by the corporation, the gross revenue derived from the sale that is attributable to its permanent establishment in that province or territory is that proportion thereof that the salaries and wages paid in the taxation year to employees of the permanent establishment in that province or territory where the merchandise was partly produced or manufactured, or partly produced and manufactured, is of the aggregate of the salaries and wages paid in the taxation year to employees of the permanent establishments where the merchandise was produced or manufactured, or produced and manufactured;

(d) except as provided in clause (e), where a customer to whom merchandise is sold instructs that the shipment of the merchandise be made to another person, the destination of the shipment of the merchandise shall be deemed to be in the jurisdiction in which the permanent establishment of the customer negotiating the purchase of the merchandise is situated;

(e) where a customer to whom merchandise is sold instructs that the shipment of the merchandise be made to another person and the permanent establishment of the customer negotiating the purchase of the merchandise is situated in a jurisdiction outside Canada in which the corporation making the sale has no permanent establishment,

(i) where the merchandise was produced or manufactured, or produced and manufactured, entirely in one province or territory of Canada by the corporation, the gross revenue derived from the sale shall be attributable to its permanent establishment in that province or territory, or

(ii) where the merchandise was produced or manufactured, or produced and manufactured, partly in a province or territory of Canada and partly in another place by the corporation, the gross revenue derived from the sale that is attributable to its permanent establishment in that province or territory is that proportion thereof that the salaries and wages paid in the taxation year to employees of the permanent establishment in that province or territory where the merchandise was partly produced or manufactured, or partly produced and manufactured, is of the aggregate of the salaries and wages paid in the taxation year to employees of the permanent establishments where the merchandise was produced or manufactured, or produced and manufactured;

(f) where services are performed by a corporation in a jurisdiction in which the corporation has a permanent establishment, the gross revenue derived from the services is attributable to that permanent establishment;

(g) where services are performed by a corporation in a jurisdiction in which the corporation has no permanent establishment, the gross revenue derived from the services is attributable to the permanent establishment to which the person negotiating the contract for the corporation may reasonably be regarded as being attached;

(h) where standing timber or the right to cut standing timber is sold, the gross revenue derived from the sale is attributable to the permanent establishment that includes the timberlands on which the timber is standing;

(i) gross revenue that arises from leasing land owned by the corporation in a province or territory shall be attributable to the province or territory where that land is situated; and

(j) where land which constitutes a permanent establishment in a province under subsection 4 (7) of the Act is sold, and the income derived from the sale is included in determining the corporation's income under paragraph 3 (a) of the *Income Tax Act* (Canada) as made applicable by section 9 of the Act, the gross revenue of the corporation derived from the sale for the taxation year shall be attributed to that permanent establishment. R.R.O. 1980, Reg. 191, s. 302 (4); O. Reg. 756/83, s. 2; O. Reg. 763/86, s. 5 (2).

(5) In the application of subsections (3) and (4) and subsection 320 (3) for the purposes of this section and section 320, where,

(a) the destination of a shipment of merchandise to a customer to whom the merchandise is sold by a corporation is in a country other than Canada or where the customer to whom the merchandise is sold instructs that the shipment of the merchandise be made by the corporation to another person and the permanent establishment of the customer negotiating the purchase of the merchandise is situated in a country other than Canada;

(b) the corporation has a permanent establishment in that other country; and

(c) the corporation is not subject to taxation on its income or profits under the laws of that other country or its gross revenue derived from the sale is not included in the profit or other base for income or profits taxation by that other country by reason of,

(i) the provisions of any taxing statute of that other country, or

(ii) the operation of any tax treaty or convention between Canada and that other country,

the following rules apply:

1. Clauses (4) (a), (b) and (d) do not apply.

2. That portion of clause (4) (c) immediately preceding subclause (i) shall be read as follows:

(c) except as provided in clause (e), where the destination of a shipment of merchandise to a customer to whom the merchandise is sold is in a jurisdiction outside Canada,

. . . . . .

3. That portion of clause (4) (e) immediately preceding subclause (i) shall be read as follows:

(e) where a customer to whom merchandise is sold instructs that the shipment of the merchandise be made to another person and the permanent establishment of the customer negotiating the purchase of the merchandise is situated in a jurisdiction outside Canada,

. . . . . .

4. In the application of subclause (3) (a) (ii), clause (3) (b), subclauses (4) (c) (ii), (4) (e) (ii) and 320 (3) (a) (ii) and

clause 320 (3) (b), salaries and wages paid in the taxation year to employees of any permanent establishment of the corporation situated in that other country shall be deemed to be nil. O. Reg. 763/86, s. 5 (3).

(6) For the purposes of this section, and sections 304, 307, 308, 309, 310, 311, 319, 320, 323, 324, 325, 326 and 327, where part of the operations of a corporation is conducted in partnership with one or more other persons,

(a) the gross revenue of the corporation for the taxation year; and

(b) the salaries and wages paid in the taxation year by the corporation,

shall include, in respect of those operations, only that proportion of,

(c) the total gross revenue of the partnership for its fiscal period ending in or coinciding with the taxation year; and

(d) the total salaries and wages paid by the partnership in its fiscal period ending in or coinciding with the taxation year,

respectively, that,

(e) the corporation's share of the income or loss of the partnership for the fiscal period ending in or coinciding with the taxation year,

is of,

(f) the total income or loss of the partnership for the fiscal period ending in or coinciding with the taxation year. O. Reg. 254/82, s. 8, *part.*

(7) For the purposes of this section, and sections 304, 307, 308, 309, 310, 311, 320, 321, 324, 325, 326, 327 and 328, where a corporation pays a fee to a person under an agreement pursuant to which the person or employees of that person perform services for the corporation that would normally be performed by employees of the corporation, the fee so paid shall be deemed to be salary paid in the taxation year by the corporation and that part of the fee that may reasonably be regarded as payment in respect of services rendered at a particular permanent establishment of the corporation shall be deemed to be salary paid to an employee of that permanent establishment.

(8) For the purpose of subsection (7), a fee does not include a commission paid to a person who is not an employee of the corporation. R.R.O. 1980, Reg. 191, s. 302 (6, 7).

(9) For the purposes of subsection (3) and subsection 320 (3), "gross revenue" does not include interest on bonds, debentures or mortgages, dividends on shares of capital stock, or rentals or royalties from property that is not used in connection with the principal business operations of the corporation. O. Reg. 191/85, s. 1.

INSURANCE CORPORATIONS

303.—(1) Despite subsections 302 (3) and (4), the amount of taxable income that shall be deemed to have been earned in a taxation year in a jurisdiction other than Ontario by an insurance corporation that is resident in Canada and that does not carry on a life insurance business is that proportion of the corporation's taxable income for the year that the aggregate of,

(a) the corporation's net premiums for the year in respect of insurance on property situated in that other jurisdiction; and

(b) the corporation's net premiums for the year in respect of insurance, other than on property from contracts with persons resident in that other jurisdiction,

is of the total of such of the corporation's net premiums for the year as are included in computing the corporation's income for the purposes of the Act.

(2) Despite subsections 302 (3) and (4), the amount of taxable income that shall be deemed to have been earned in a taxation year in a province or territory of Canada other than Ontario by an insurance corporation other than an insurance corporation to which subsection (1) applies, is that proportion of the corporation's taxable income for the year that the aggregate of,

(a) the corporation's net premiums for the year in respect of insurance on property situated in that other province or territory of Canada; and

(b) the corporation's net premiums for the year in respect of insurance, other than on property, from contracts with persons resident in that other province or territory of Canada,

is of the total of such of the corporation's net premiums for the year as are included in computing the corporation's income for the purposes of the Act.

(3) In this section, "net premiums" means the aggregate of the gross premiums received by a corporation in a taxation year, other than consideration received by the corporation for annuities, minus the aggregate for the year of,

(a) premiums paid by the corporation for reinsurance;

(b) dividends or rebates paid or credited by the corporation to policyholders; and

(c) rebates or returned premiums paid by the corporation in respect of the cancellation of policies.

(4) For the purpose of subsection (1) or (2), where an insurance corporation had no permanent establishment in a jurisdiction outside Ontario in a taxation year,

(a) a net premium for that year in respect of insurance on property situated in that jurisdiction shall be deemed to be a net premium in respect of insurance on property situated in the jurisdiction in which the permanent establishment of the corporation to which the net premium is reasonably attributable is situated; and

(b) a net premium for that year in respect of insurance, other than on property, from contracts with persons resident in that jurisdiction shall be deemed to be a net premium in respect of insurance, other than on property, from contracts with persons resident in the jurisdiction which the permanent establishment of the corporation to which the net premium is reasonably attributable is situated. R.R.O. 1980, Reg. 191, s. 303.

BANKS

304.—(1) Despite subsections 302 (3) and (4), the amount of taxable income of a bank that shall be deemed to have been earned in a taxation year in a jurisdiction other than Ontario in which it had a permanent establishment is one-third of the aggregate of,

(a) that proportion of the bank's taxable income for the taxation year that the aggregate of the salaries and wages paid in the year by the bank to employees of the bank's permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the bank; and

(b) twice that proportion of the bank's taxable income for the taxation year that the aggregate amount of loans and deposits of the bank's permanent establishments in that other jurisdiction for the taxation year is of the aggregate amount of all loans and deposits of the bank for the taxation year. O. Reg. 254/82, s. 9.

(2) For the purpose of subsection (1), the amount of loans for a taxation year is one-twelfth of the aggregate of the amounts outstanding on the loans made by the bank at the close of business on the last day of each month in the taxation year.

(3) For the purpose of subsection (1), the amount of deposits for a taxation year is one-twelfth of the aggregate of the amounts on deposit with the bank at the close of business on the last day of each month in the taxation year.

(4) For the purpose of subsections (2) and (3), loans and deposits do not include bonds, stocks, debentures, items in transit and deposits in favour of Her Majesty in Right of Canada. R.R.O. 1980, Reg. 191, s. 304 (2-4).

TRUST AND LOAN CORPORATIONS

305.—(1) Despite subsections 302 (3) and (4), the amount of taxable income that shall be deemed to have been earned in a taxation year by a trust and loan corporation or a trust corporation or a loan corporation in a jurisdiction other than Ontario in which it had a permanent establishment is that proportion of the corporation's taxable income for the taxation year that the gross revenue for the taxation year of the corporation's permanent establishments in that other jurisdiction is of the total gross revenue for the taxation year of the corporation.

(2) For the purpose of subsection (1), "gross revenue for the taxation year of the corporation's permanent establishments in that other jurisdiction" means the aggregate of the gross revenue of a corporation for the taxation year arising from,

(a) loans secured by real property situated in that other jurisdiction;

(b) loans not secured by real property to persons residing in that other jurisdiction;

(c) loans administered by a permanent establishment of the corporation in that other jurisdiction made to persons residing in another jurisdiction in which the corporation has no permanent establishment but not including loans secured by real property situated in another jurisdiction in which the corporation has a permanent establishment; and

(d) business conducted at the permanent establishments of the corporation in that other jurisdiction, other than revenue in respect of loans. O. Reg. 254/82, s. 10.

RAILWAY CORPORATIONS

306.—(1) Subject to subsection (2) and despite subsections 302 (3) and (4), the amount of taxable income of a railway corporation that shall be deemed to have been earned in a taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is one-half the aggregate of,

(a) that proportion of the corporation's taxable income for the taxation year that the corporation's equated track length in that province or territory of Canada is of the corporation's equated track length in Canada; and

(b) that proportion of the corporation's taxable income for the taxation year that the corporation's gross freight capacity for the taxation year in that province or territory of Canada is of the corporation's gross freight capacity for the taxation year in Canada.

(2) Where a corporation to which subsection (1) would apply if this subsection did not apply thereto operates an airline service, ships or hotels or receives revenues that are petroleum or natural gas royalties or does a combination of two or more of those operations, the amount of the corporation's taxable income that shall be deemed to have been earned in a taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is the aggregate of the amounts computed,

(a) where the corporation operates an airline service, by applying the provisions of subsection 307 (1) to that part of the corporation's taxable income for the taxation year that may reasonably be considered as having arisen from the operation of the airline service;

(b) where the corporation operates ships, by applying the provisions of subsection 311 (1) to that part of the corporation's taxable income for the taxation year that may reasonably be considered as having arisen from the operation of the ships;

(c) where the corporation operates hotels, by applying the provisions of subsection 302 (3) to that part of the corporation's taxable income for the taxation year that may reasonably be considered to have arisen from the operation of the hotels;

(d) where the corporation receives revenues that are petroleum or natural gas royalties, by applying the provisions of subsection 302 (3) to that part of the corporation's taxable income for the taxation year that may reasonably be considered to have arisen from the ownership by the corporation of petroleum or natural gas rights or any interest therein; and

(e) by applying the provisions of subsection (1) to the remaining portion of the corporation's taxable income for the taxation year. O. Reg. 254/82, s. 11.

(3) For the purpose of section 311 and for the purpose of making an allocation required by clause (2) (b), "salaries and wages paid in the taxation year by the corporation to employees" means salaries and wages paid by the corporation to employees employed in the operation of permanent establishments, other than ships, maintained for the shipping business.

(4) For the purpose of subsection 302 (3) and for the purpose of making an allocation required by clause (2) (c),

"gross revenue for the taxation year attributable to the permanent establishment in that other jurisdiction" means the gross revenue of the corporation from operating hotels in a province or territory of Canada outside Ontario;

"salaries and wages paid in the taxation year by the corporation to the employees" means salaries and wages paid to employees engaged in the operations of its hotels;

"total gross revenue for the taxation year" means the total gross revenue of the corporation for the taxation year from operating hotels.

(5) Despite subsection 302 (9), for the purpose of subsection 302 (3) and for the purpose of making an allocation required by clause (2) (d),

"gross revenue for the taxation year attributable to the permanent establishment in that other jurisdiction" means the gross revenue of the corporation from the ownership by the corporation of petroleum and natural gas rights in lands in a province or territory of Canada outside Ontario and any interest therein;

"salaries and wages paid in the taxation year by the corporation to the employees" means salaries and wages paid to employees employed in connection with the corporation's petroleum and natural gas rights and interests therein;

"total gross revenue for the taxation year" means the total gross revenue of the corporation from ownership by the corporation of petroleum and natural gas rights and any interest therein.

(6) For the purposes of subsection (1),

"equated track length" means, in a specified place, the aggregate of,

(a) the length of first main track,

(b) 80 per cent of the length of other main tracks, and

(c) 50 per cent of the length of yard tracks and sidings,

in that place;

"gross freight capacity" means the aggregate obtained by multiplying the weight or mass of freight carried by the corporation by the distance that freight is carried. R.R.O. 1980, Reg. 191, s. 306 (3-6).

AIRLINE CORPORATIONS

307.—(1) Despite subsections 302 (3) and (4), the amount of taxable income of an airline corporation that shall be deemed to have been earned in a taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is an amount equal to one-quarter of the aggregate of,

(a) that proportion of the corporation's taxable income for the taxation year that the capital cost of all fixed assets of the corporation, except for aircraft, in that province or territory of Canada at the end of the taxation year is of the capital cost of all the corporation's fixed assets, except for aircraft, in Canada at the end of the taxation year; and

(b) that proportion of the corporation's taxable income for the taxation year that three times the revenue plane distance flown by the corporation's aircraft in that province or territory of Canada during the taxation year is of the total revenue plane distance flown by the corporation's aircraft in Canada during the taxation year. O. Reg. 254/82, s. 12.

(2) For the purpose of clause (1) (b), "revenue plane distance flown" shall be weighted according to the take-off weight of the aircraft operated. R.R.O. 1980, Reg. 191, s. 307 (2).

(3) For the purpose of subsection (2), "take-off weight" of an aircraft means the take-off weight determined under subsection 407 (3) of the regulations made under the *Income Tax Act* (Canada). O. Reg. 756/83, s. 3.

GRAIN ELEVATOR OPERATORS

308. Despite subsections 302 (3) and (4), the amount of taxable income of a corporation the chief business of which is the operation of grain elevators that shall be deemed to have been earned by that corporation in a taxation year in a jurisdiction other than Ontario in which it had a permanent establishment is one-half the aggregate of,

(a) that portion of the corporation's taxable income for the taxation year that the quantity of grain received in the taxation year in the elevators operated by the corporation in that other jurisdiction is of the total quantity of grain received in the taxation year in all the elevators operated by the corporation; and

(b) that proportion of the corporation's taxable income for the taxation year that the aggregate of salaries and wages paid in the taxation year by the corporation to employees of the permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the corporation. O. Reg. 254/82, s. 13.

BUS AND TRUCK OPERATORS

309. Despite subsections 302 (3) and (4), the amount of taxable income of a corporation the chief business of which is the transportation of goods, the transportation of passengers or the transportation of goods and passengers (other than by the operation of a railway, ship or airline service) that shall be deemed to have been earned by that corporation in a taxation year in a jurisdiction other than Ontario in which it had a permanent establishment is one-half the aggregate of,

(a) that proportion of the corporation's taxable income for the taxation year that the distance driven by the corporation's vehicles, whether owned or leased (hereinafter referred to as "its vehicles"), on roads in that other jurisdiction in the taxation year is of the total distance driven by its vehicles in the taxation year on roads (other than on roads in a jurisdiction in which the corporation had no permanent establishment); and

(b) that proportion of the corporation's taxable income for the taxation year that the aggregate of salaries and wages paid in the taxation year by the corporation to employees of the permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the corporation. O. Reg. 254/82, s. 14.

PIPELINE OPERATORS

310. Despite subsections 302 (3) and (4), the amount of taxable income of a corporation the chief business of which is the operation of a pipeline for oil, gas or water that shall be deemed to have been earned by that corporation in a taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is one-half of the aggregate of,

(a) that proportion of the corporation's taxable income for the taxation year that the length of pipe of the corporation in that province or territory of Canada is of the length of pipe of the corporation in all provinces and territories of Canada in which it had a permanent establishment; and

(b) that proportion of the corporation's taxable income for the taxation year that the aggregate of salaries and wages paid in the taxation year by the corporation to employees of the corporation's permanent establishments in that province or territory of Canada is of the aggregate of all salaries and wages paid in all the corporation's permanent establishments in Canada in the taxation year by the corporation. O. Reg. 254/82, s. 15.

NAVIGATION CORPORATIONS

311.—(1) Despite subsections 302 (3) and (4), the amount of taxable income of a corporation the chief business of which is the operation of ships that shall be deemed to have been earned by the corporation in a taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is the aggregate of,

(a) that proportion of the corporation's allocable income for the taxation year that the corporation's port-call-tonnage in that province or territory of Canada is of the corporation's port-call-tonnage in all provinces and territories of Canada in which it had a permanent establishment; and

(b) where the corporation's taxable income for the taxation year exceeds the corporation's allocable income for the taxation year, that proportion of the excess that the aggregate of the salaries and wages paid in the taxation year by the corporation to employees of the permanent establishments, other than a ship, in that province or territory of Canada, is of the aggregate of salaries and wages paid in the taxation year by the corporation to employees of permanent establishments, other than ships, in Canada.

(2) For the purpose of subsection (1),

"allocable income for the taxation year" means that proportion of the taxable income of the corporation for the taxation year that the

corporation's total port-call-tonnage in Canada is of the corporation's total port-call-tonnage in all countries;

"port-call-tonnage" in a province, territory or country means the aggregate of the products obtained by multiplying, for each ship operated by the corporation, the number of calls made in the taxation year by that ship at ports in that province, territory or country by the number of tons of the registered net tonnage of that ship. O. Reg. 254/82, s. 16.

DIVIDED BUSINESSES

312. Where part of the business of a corporation for a taxation year, other than a corporation described in section 303, 304, 305, 306, 307, 308, 309, 310 or 311 consisted of operations normally conducted by a corporation described in one of those sections, the corporation and the Minister may agree to determine the amount of taxable income deemed to have been earned in the taxation year in a jurisdiction other than Ontario as the aggregate of the amounts computed by,

(a) applying the provisions of such of those sections as would have been applicable had the corporation been a corporation described therein to the portion of the corporation's taxable income for the taxation year that might reasonably be considered to have arisen from that part of the business; and

(b) applying the provisions of subsection 302 (3) to the remaining portion of the corporation's taxable income for the taxation year. R.R.O. 1980, Reg. 191, s. 312.

ALLOCATION OF TAXABLE INCOME EARNED IN CANADA OF NON-RESIDENTS

313. For the purpose of section 39 of the Act, the taxable income earned in Canada of a corporation to which subsection 2 (2) of the Act applies shall be allocated to the provinces and territories of Canada in accordance with the rules set out in sections 314 to 318. R.R.O. 1980, Reg. 191, s. 313; O. Reg. 763/86, s. 6.

314. Where a non-resident corporation not otherwise having a permanent establishment in Canada becomes taxable under the Act by virtue of clause 2 (2) (b) of the Act and where section 317 is not applicable, the gross revenue that arises from the sale or rental of real property situated in Canada shall be attributable to the province or territory where the real property is situated. R.R.O. 1980, Reg. 191, s. 314; O. Reg. 763/86, s. 7.

RULES

315. Where in a taxation year a corporation has no permanent establishment in Canada other than in Ontario, all of its taxable income earned in Canada for the year shall be deemed to have been earned in Ontario. R.R.O. 1980, Reg. 191, s. 315.

316. Where in a taxation year a corporation had a permanent establishment in Ontario and a permanent establishment in one or more other provinces or territories of Canada, the corporation's taxable income earned in Canada shall be allocated to the provinces and territories of Canada in accordance with sections 302, 303, 304, 305, 306, 308, 309, 310 and 312 or such of those sections as are applicable on the assumption that,

(a) the corporation's taxable income earned in Canada was the corporation's total taxable income;

(b) the permanent establishments of the corporation in the provinces and territories of Canada were the corporation's only permanent establishments; and

(c) the amounts and proportions referred to in such of those sections as are applicable related exclusively to the activity of the corporation at those permanent establishments,

provided that, where a corporation to which this section applies ships merchandise to one or other of the corporation's permanent establishments outside Canada,

(d) the shipment shall be deemed to be a shipment of merchandise to a customer to whom the merchandise is sold; and

(e) the corporation's gross revenue in Canada is the gross revenue of the corporation's permanent establishments in Canada including such amount from the shipment in determining the taxable income earned in Canada that is reasonably attributable to the business carried on by the corporation in Canada. R.R.O. 1980, Reg. 191, s. 316.

317. Where in a taxation year the taxable income of a corporation earned in Canada was derived solely from the sale or rental of real property in Canada and the corporation owned real property that is situated in Ontario and real property that is situated in another province or territory of Canada, the corporation's taxable income earned in Canada shall be allocated to the provinces and territories of Canada in accordance with section 302 on the assumption that,

(a) the real property was a permanent establishment of the corporation in the province or territory;

(b) the corporation's taxable income earned in Canada was the corporation's total taxable income;

(c) the real property was the only real property owned by the corporation; and

(d) the amounts and proportions allocated to the provinces and territories of Canada related exclusively to the activity of the corporation in the province or territory of Canada where the real property was situated. R.R.O. 1980, Reg. 191, s. 317.

318. Where in a taxation year the taxable income of a corporation earned in Canada was derived,

(a) solely from the disposition of,

(i) taxable Canadian property,

(ii) a Canadian resource property, or

(iii) an income interest in a trust resident in Canada; or

(b) partly from sources referred to in clause (a) and partly from the sale or rental of real property in Canada,

the following rules apply:

1. That part of the income from sources referred to in clause (a) that is income from the disposition of property deemed to be situated in Ontario, under section 504, shall be attributed to Ontario and that part of the income from the disposition of property, other than property deemed situated in Ontario, shall be attributed to the province or territory in which the property is situated.

2. That part of the income that is income from the sale or rental of real property shall be allocated to the provinces and territories in Canada in accordance with section 302 under the assumptions set out in clauses 317 (a), (b), (c) and (d). O. Reg. 756/83, s. 4.

ALLOCATION OF TAXABLE PAID-UP CAPITAL

319. The amount of the taxable paid-up capital of a corporation to which subsection 2 (1) of the Act applies that shall be deemed to have been used in a taxation year in a jurisdiction other than Ontario shall be determined in accordance with the rules set out in sections 320 to 328. R.R.O. 1980, Reg. 191, s. 319.

RULES

320.—(1) Where in a taxation year a corporation had no permanent establishment outside Ontario, all of the corporation's taxable paid-up capital for the taxation year shall be deemed to have been used in Ontario.

(2) Where in a taxation year a corporation had no permanent establishment in Ontario, all of the corporation's taxable paid-up capital shall be deemed to have been used in a jurisdiction other than Ontario. R.R.O. 1980, Reg. 191, s. 320 (1, 2).

(3) Subject to subsection 302 (5), where, in a taxation year, a corporation had a permanent establishment in Ontario and a permanent establishment in a jurisdiction other than Ontario, the amount of the corporation's taxable paid-up capital that shall be deemed to have been used in the taxation year in that other jurisdiction is,

(a) in any case other than a case specified in clause (b) or (c), one-half the aggregate of,

(i) that proportion of the corporation's taxable paid-up capital that the gross revenue for the taxation year reasonably attributable to the permanent establishments in that other jurisdiction is of the corporation's total gross revenue for the taxation year, and

(ii) that proportion of the corporation's taxable paid-up capital that the aggregate of the salaries and wages paid in the taxation year by the corporation to the employees of the permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the corporation;

(b) in any case where the gross revenue for the taxation year of the corporation is nil, that proportion of the corporation's taxable paid-up capital that the aggregate of the salaries and wages paid in the taxation year by the corporation to employees of the permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the corporation; and

(c) in any case where the aggregate of the salaries and wages paid in the taxation year by the corporation is nil, that proportion of the corporation's taxable paid-up capital that the gross revenue for the taxation year reasonably attributable to the permanent establishments in that other jurisdiction is of the corporation's total gross revenue for the taxation year. O. Reg. 254/82, s. 17; O. Reg. 763/86, s. 8.

BANKS

321.—(1) Despite subsection 320 (3), the amount of taxable paid-up capital of a bank that shall be deemed to have been used in a taxation year in a jurisdiction other than Ontario in which it had a permanent establishment is one-third of the aggregate of,

(a) that proportion of the bank's taxable paid-up capital for the taxation year that the aggregate of the salaries and wages paid in the year by the bank to the employees of the bank's permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the bank; and

(b) twice that proportion of the bank's taxable paid-up capital for the taxation year that the aggregate amount of loans and deposits of the bank's permanent establishments in that other jurisdiction for the taxation year is of the aggregate amount of all loans and deposits of the bank for the taxation year. O. Reg. 254/82, s. 18.

(2) For the purpose of subsection (1), the amount of loans for a taxation year is one-twelfth of the aggregate of the amounts outstanding on the loans made by the bank at the close of business on the last day of each month in the taxation year.

(3) For the purpose of subsection (1), the amount of deposits for a taxation year is one-twelfth of the aggregate of the amounts on deposit with the bank at the close of business on the last day of each month in the taxation year.

(4) For the purpose of subsections (2) and (3), loans and deposits do not include bonds, stocks, debentures, items in transit and deposits in favour of Her Majesty in Right of Canada. R.R.O. 1980, Reg. 191, s. 321 (2-4).

TRUST AND LOAN CORPORATIONS

322.—(1) Despite subsection 320 (3), the amount of taxable paid-up capital that shall be deemed to have been used in a taxation year by a trust and loan corporation or a loan corporation in a jurisdiction other than Ontario in which it had a permanent establishment is that proportion of the corporation's taxable paid-up capital that the gross revenue for the taxation year of the corporation's permanent establishments in that other jurisdiction is of the total gross revenue for the taxation year of the corporation. O. Reg. 254/82, s. 19.

(2) Subsection 305 (2) applies with necessary modifications to subsection (1). R.R.O. 1980, Reg. 191, s. 322 (2).

RAILWAY CORPORATIONS

323.—(1) Despite subsection 320 (3), the amount of taxable paid-up capital of a railway corporation that shall be deemed to have been used in a taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is one-half the aggregate of,

(a) that proportion of the corporation's taxable paid-up capital for the taxation year that the corporation's equated track length in that province or territory of Canada is of the corporation's equated track length in Canada; and

(b) that proportion of the corporation's taxable paid-up capital for the taxation year that the corporation's gross freight capacity for the taxation year in the province or territory of Canada is of the corporation's gross freight capacity for the taxation year in Canada. O. Reg. 254/82, s. 20.

(2) For the purposes of subsection (1),

"equated track length" means, in a specified place, the aggregate of,

(a) the length of first main track,

(b) 80 per cent of the length of other main tracks, and

(c) 50 per cent of the length of yard tracks and sidings,

in that place;

"gross freight capacity" means the aggregate obtained by multiplying the weight or mass of freight carried by the corporation by the distance that freight is carried. R.R.O. 1980, Reg. 191, s. 323 (2).

GRAIN ELEVATOR OPERATORS

324. Despite subsection 320 (3), the amount of taxable paid-up capital of a corporation the chief business of which is the operation of grain elevators that shall be deemed to have been used by that corporation in a taxation year in a jurisdiction other than Ontario in which it had a permanent establishment is one-half the aggregate of,

(a) that proportion of the corporation's taxable paid-up capital that the quantity of grain received in the taxation year in the elevators operated by the corporation in that other jurisdiction is of the quantity of grain received in the taxa-

tion year in all the elevators operated by the corporation; and

(b) that proportion of the corporation's taxable paid-up capital that the aggregate of salaries and wages paid in the taxation year by the corporation to employees of the permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the corporation. O. Reg. 254/82, s. 21.

BUS AND TRUCK OPERATORS

325. Despite subsection 320 (3), the amount of taxable paid-up capital of a corporation, the chief business of which is the transportation of goods, the transportation of passengers or the transportation of goods and passengers (other than by the operation of a railway, ship or airline service), that shall be deemed to have been used by that corporation in a taxation year in a jurisdiction other than Ontario in which it had a permanent establishment is one-half the aggregate of,

(a) that proportion of the corporation's taxable paid-up capital that the distance driven by the corporation's vehicles, whether owned or leased (hereinafter referred to as "its vehicles"), on roads in that other jurisdiction in the taxation year is of the total distance driven by its vehicles in the taxation year on roads (other than on roads in a jurisdiction in which the corporation had no permanent establishment); and

(b) that proportion of the corporation's taxable paid-up capital that the aggregate of salaries and wages paid in the taxation year by the corporation to employees of the permanent establishments in that other jurisdiction is of the aggregate of all salaries and wages paid in the taxation year by the corporation. O. Reg. 254/82, s. 22.

PIPELINE OPERATORS

326. Despite subsection 320 (3), the amount of taxable paid up capital of a corporation the chief business of which is the operation of a pipeline for oil, gas or water that shall be deemed to have been used by that corporation in a taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is one-half the aggregate of,

(a) that proportion of the corporation's taxable paid-up capital that the length of pipe of the corporation in that province or territory of Canada is of the length of pipe of the corporation in all provinces and territories of Canada in which it had a permanent establishment; and

(b) that proportion of the corporation's taxable paid-up capital that the aggregate of the salaries and wages paid in the taxation year by the corporation to employees of the corporation's permanent establishments in that province or territory of Canada is of the aggregate of all salaries and wages paid in all the corporation's permanent establishments in Canada in the taxation year by the corporation. O. Reg. 254/82, s. 23.

NAVIGATION CORPORATIONS

327.—(1) Despite subsection 320 (3), the amount of taxable paid-up capital of a corporation the chief business of which is operating ships that shall be deemed to have been used by the corporation in a taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is the aggregate of,

(a) that proportion of the corporation's allocable paid-up capital that the corporation's port-call-tonnage in that province or territory of Canada is of the corporation's port-call-tonnage in all provinces and territories of Canada in which it had a permanent establishment; and

(b) where the corporation's taxable paid-up capital exceeds the corporation's allocable paid-up capital, that proportion of the excess that the aggregate of the salaries and wages paid in the taxation year by the corporation to employees of the permanent establishments, other than a ship, in that province or territory of Canada is of the aggregate of salaries and wages paid in the taxation year by the corporation to employees of permanent establishments, other than ships, in Canada.

(2) For the purpose of subsection (1), "allocable paid-up capital" means that portion of taxable paid-up capital of the corporation that the corporation's port-call-tonnage in Canada is of the corporation's total port-call-tonnage in all countries. O. Reg. 254/82, s. 24.

(3) The definition of "port-call-tonnage" in subsection 311 (2) applies with necessary modifications to this section. R.R.O. 1980, Reg. 191, s. 327 (3), *revised.*

AIRLINE CORPORATIONS

328.—(1) Despite subsection 320 (3), the amount of taxable paid-up capital of an airline corporation that shall be deemed to have been used by that corporation in the taxation year in a province or territory of Canada other than Ontario in which it had a permanent establishment is an amount equal to one quarter of the aggregate of,

(a) that proportion of the corporation's taxable paid-up capital for the taxation year that the capital cost of all fixed assets of the corporation, except for aircraft, in that province or territory of Canada at the end of the taxation year is of the capital cost of all the corporation's fixed assets, except for aircraft, in Canada at the end of the taxation year; and

(b) that proportion of the corporation's taxable paid-up capital for the taxation year that three times the revenue plane distance flown by the corporation's aircraft in that province or territory of Canada during the taxation year is of the total revenue plane distance flown by the corporation's aircraft in Canada during the taxation year. O. Reg. 254/82, s. 25.

(2) Subsections 301 (2) and (3) apply with necessary modifications to subsection (1). R.R.O. 1980, Reg. 191, s. 328 (2).

ALLOCATION OF TAXABLE PAID-UP CAPITAL EMPLOYED IN CANADA OF NON-RESIDENT

329. For the purposes of clause 63 (1) (e) of the Act, the amount of the taxable paid-up capital employed in Canada of a corporation to which subsection 2 (2) of the Act applies shall be allocated to the provinces and territories of Canada in accordance with subsection 320 (3) and sections 321, 322, 323, 324, 325 and 326 or such of those subsections or sections as are applicable, on the assumption that the permanent establishments of the corporation in the provinces and territories of Canada were the corporation's only permanent establishments and the amounts and proportions referred to in such of those subsections or sections as are applicable related exclusively to the activity of the corporation at those permanent establishments. R.R.O. 1980, Reg. 191, s. 329; O. Reg. 763/86, s. 9.

330. Where in the calculation of any proportion under this Part, a particular unit of measurement is used, the same unit of measurement shall be used, where required, throughout the calculation. R.R.O. 1980, Reg. 191, s. 330.

PART IV
PRESCRIBED CORPORATIONS

401. For the purpose of subsection 11 (15) of the Act, the following corporations are prescribed:

1. Air Canada.

2. Atlas Turner Incorporated.

3. Canada Deposit Insurance Corporation.

4. Canada Mortgage and Housing Corporation.

5. Canadian Broadcasting Corporation.

6. Canadian National Express Company.

7. Canadian National Railway Company.

8. Canadian National Realties, Limited.

9. Canadian National Telegraph Company.

10. Canadian National Transportation, Limited.

11. The Canadian Northern Quebec Railway Company.

12. Canadair Services Limited.

13. Cape Breton Development Corporation.

14. The de Havilland Aircraft of Canada, Limited.

15. Eldorado Aviation Limited.

16. Eldorado Nuclear Limited.

17. Export Development Corporation.

18. Farm Credit Corporation.

19. Gray Coach Lines Limited.

20. The Great North Western Telegraph Company of Canada.

21. Hoar Transport Company Limited.

22. Husband Transport Limited.

23. A.E. McKenzie Company Limited.

24. Midland Superior Express Limited.

25. The Minnesota and Ontario Bridge Company.

26. The Northern Consolidated Holding Company Limited.

27. Pacific Petroleums Ltd.

28. Petro-Canada.

29. Petro-Canada Exploration Inc.

30. Petro-Canada Petroleum Inc.

31. Polysar Limited—Polysar Limitée.

32. Polysar Plastics Limited.

33. Potash Corporation of Saskatchewan Sales Ltd.

34. St. Clair River Broadcasting Limited.

35. The St. Lawrence Seaway Authority.

36. Scobie's Transport Limited.

37. The Seaway International Bridge Corporation, Ltd.

38. Sidbec-Dosco Limitée—Sidbec-Dosco Limited.

39. Teleglobe Canada.

40. The Toronto-Peterborough Transport Company, Limited.

41. Via Rail Canada Inc. O. Reg. 254/82, s. 26; O. Reg. 756/83, s. 5; O. Reg. 763/86, s. 10.

PART V

501. For the purposes of the definition of "corporation income tax" in subsection 16 (3) of the Act, each of the following is hereby declared to be a tax of general application on the profits of corporations:

1. A tax imposed on a corporation under the *Income Tax Act* (Canada).

2. A tax imposed on a corporation under section 6 of the Act.

3. A tax imposed on a corporation under section 17 of the *Taxation Act* (Quebec).

4. A tax imposed on a corporation under *The Alberta Corporate Income Tax Act*. R.R.O. 1980, Reg. 191, s. 501; O. Reg. 254/82, s. 27.

502. For the purposes of the definition of "corporation tax" in subsection 16 (3) of the Act, each of the following is hereby declared to be a tax on corporations:

1. A tax imposed on a corporation under section 58 of the Act.

2. A tax imposed on a corporation under any of paragraphs 848 (a) to (m) or section 849, 850, 851, 852 or 872 of the *Taxation Act* (Quebec).

3. A tax imposed under the *Corporations Capital Tax Act* (Manitoba).

4. A tax imposed under the *Corporations Capital Tax Act* (British Columbia).

5. A tax imposed under *The Corporation Capital Tax Act* (Saskatchewan). R.R.O. 1980, Reg. 191, s. 502; O. Reg. 254/82, s. 28.

Rate of Interest on Unpaid Taxes and Overpayments

503.—(1) The rate of interest payable per year under sections 79 and 82 of the Act shall be reviewed semi-annually and adjusted effective on the 1st day of April and the 1st day of October in each year, and shall remain in force until the next adjustment date, and the rate shall be the mean rate rounded to the nearest whole percentage point of the lowest interest rates charged to their most credit-worthy borrowers for prime business loans by the Royal Bank of Canada, the Bank of Nova Scotia, the Canadian Imperial Bank of Commerce, the Bank of Montreal and the Toronto-Dominion Bank, and

(a) where the date of the interest adjustment is the 1st day of April, the rate shall be based on the mean interest rates effective on the immediately preceding 15th day of January; and

(b) where the date of the interest adjustment is the 1st day of October, the rate shall be based on the mean interest rates effective on the immediately preceding 15th day of July,

and the Minister shall cause the rate to be printed in *The Ontario Gazette* published next after the coming into force of the adjusted rate.

(2) Despite subsection (1) for the purposes of subsection 82 (4) of the Act, the rate of interest for the period of calculation referred to therein is,

(a) 6 per cent per year in respect of that portion of such period that is before the 1st day of October, 1980;

(b) 12 per cent per year in respect of that portion of such period that is after the 30th day of September, 1980 and before the 1st day of February, 1982; and

(c) 15 per cent per year in respect of that portion of such period that is after the 31st day of January, 1982 and before the 1st day of April, 1983.

(3) Despite subsection (1), for the purposes of subsection 82 (5) of the Act, the rate of interest for the period of calculation referred to therein and described in subsection 82 (4) of the Act is,

(a) 9 per cent per year in respect of that portion of such period that is before the 1st day of October, 1980;

(b) 12 per cent per year in respect of that portion of such period that is after the 30th day of September, 1980 and before the 1st day of February, 1982; and

(c) 15 per cent per year in respect of that portion of such period that is after the 31st day of January, 1982 and before the 1st day of April, 1983.

(4) Where a calculation of interest is made under the Act with respect to any period ending after the 31st day of March, 1983, the rate of interest payable with respect to each portion of the period of calculation after that date shall be the rate of interest in effect for that portion of the period as prescribed under subsection (1). O. Reg. 511/83, s. 1.

(5) For the purposes of subsections 76 (2), 79 (9) and (10) and 82 (8) and clause 83 (2) (b) of the Act, the day prescribed by regulation is,

(a) the day of receipt by the Ministry of the return, the payment or the amount, as the case may be; or

(b) in the case of an amount paid or a payment made under the Act to a bank or other financial institution authorized by the Minister to act as agent to accept receipt of amounts payable under the Act, the day of receipt by the institution. O. Reg. 763/86, s. 11.

TAXABLE CANADIAN PROPERTY DEEMED SITUATED IN ONTARIO

504.—(1) For the purposes of clause 2 (2) (c) of the Act, taxable Canadian property shall be deemed to be property situated in Ontario where,

(a) in the case of property referred to in subparagraph 115 (1) (a) (iii.1) and subparagraphs 115 (1) (b) (i) and (ii) of the *Income Tax Act* (Canada), the property is situated in Ontario or the business is carried on in Ontario, as the case may be;

(b) in the case of property referred to in subparagraphs 115 (1) (b) (iii) and (iv) of the *Income Tax Act* (Canada), the property is a share or shares of a corporation that is resident in Ontario;

(c) in the case of property referred to in subparagraph 115 (1) (b) (v) of the *Income Tax Act* (Canada), the property is an interest in a partnership resident in Ontario;

(d) in the case of property referred to in subparagraph 115 (1) (a) (iv) and subparagraph 115 (1) (b) (vi) of the *Income Tax Act* (Canada), the property is an income interest in a trust resident in Ontario or the property is a capital interest in a trust resident in Ontario, as the case may be;

(e) in the case of property referred to in subparagraph 115 (1) (b) (vii) of the *Income Tax Act* (Canada), the property is a unit or units of a unit trust resident in Ontario;

(f) in the case of property referred to in subparagraph 115 (1) (b) (viii) of the *Income Tax Act* (Canada), the property is a unit or units of a mutual fund trust resident in Ontario; and

(g) in the case of property that is deemed to be taxable Canadian property under subparagraph 115 (1) (b) (ix) of the *Income Tax Act* (Canada), the property is property that is situated in Ontario by virtue of the *Corporations Tax Act* and the regulations made thereunder, or the law of Ontario as it relates to the situs of property. R.R.O. 1980, Reg. 191, s. 505 (1); O. Reg. 756/83, s. 7; O. Reg. 763/86, s. 12.

(2) Where, for the purposes of the *Income Tax Act* (Canada) a tax treaty or convention between Canada and another country has determined that no tax is payable for a taxation year by the corporation in respect of the disposition by it of taxable Canadian property, such property that would otherwise be deemed by subsection (1) to be property situated in Ontario shall be deemed not to be property situated in Ontario. R.R.O. 1980, Reg. 191, s. 505 (2).

(3) For the purposes of clause (1) (b), a corporation shall be deemed to be resident in Ontario where,

(a) in the case of a corporation incorporated after the 26th day of April, 1965 it was incorporated in Ontario;

(b) in the case of a corporation incorporated before the 27th day of April, 1965 it was incorporated in Ontario and at any time in the taxation year or at any time in any preceding taxation year of the corporation ending after the 26th day of April, 1965 it was resident in Ontario or carried on business in Ontario;

(c) in the case of a corporation incorporated under the laws of Canada, it had its central management and control located in Ontario at any time in the taxation year. R.R.O. 1980, Reg. 191, s. 505 (3); O. Reg. 254/82, s. 30.

(4) For the purposes of clause (1) (c), a partnership is deemed to be resident in Ontario where it is resident in Canada for purposes of subparagraph 115 (1) (b) (v) of the *Income Tax Act* (Canada) and its principal business is carried on in Ontario.

(5) For the purposes of clauses (1) (d), (e) and (f), a trust, a unit trust or a mutual fund trust is deemed to be resident in Ontario where the trust, unit trust or mutual fund trust, as the case may be, is resident in Canada for purposes of subparagraph 115 (1) (a) (iv) and subparagraphs 115 (1) (b) (vi), (vii) or (viii) of the *Income Tax Act* (Canada) and the principal office from which its business is conducted is situated in Ontario. R.R.O. 1980, Reg. 191, s. 505 (4, 5), *revised.*

ELIGIBLE CANADIAN PROFITS

505.—(1) For the purpose of subsection 43 (3) of the Act, the "eligible Canadian profits" of a corporation for a taxation year are the aggregate of,

(a) its manufacturing and processing income for the year;

(b) its mining income for the year, to the extent that such amount is not included by virtue of clause (a); and

(c) its active business incomes for the year from farming, fishing and logging, to the extent that such amounts are not included by virtue of clause (a) or (b). R.R.O. 1980, Reg. 191, s. 507 (1).

(2) For the purpose of subsection (1), where a corporation has active business income from sources other than sources referred to in subsection (1) and active business income from the sources referred to in subsection (1), all of its active business income for a taxation year qualifies as eligible Canadian profits if,

(a) the active business income from sources other than the

sources referred to in subsection (1) does not exceed 20 per cent of its total active business income for the taxation year; and

(b) its total active business income for the taxation year does not exceed $250,000. O. Reg. 756/83, s. 8 (1).

(3) In this section,

"farming" has the meaning given to that expression by section 1 of the Act, and the corporation's active business income for the year from farming shall be determined in accordance with sections 5200 and 5202 of the regulations made under the *Income Tax Act* (Canada) applied as if the references therein to "manufacturing and processing" were references to "farming", except that in computing the cost of capital of the corporation the cost of land owned by it or the annual rental cost incurred by the corporation for land leased by it and used by it in its farming business shall be included;

"fishing" has the meaning given to that expression by section 248 of the *Income Tax Act* (Canada) as made applicable by section 1 of the Act, and the corporation's active business income from fishing shall be determined in accordance with sections 5200 and 5202 of the regulations made under the *Income Tax Act* (Canada) applied as if the references therein to "manufacturing and processing" were references to "fishing";

"logging" includes the sale of standing timber, the sale of the right to cut standing timber, the sale of logs, the delivery of logs to a sawmill, pulp or paper plant or other place for processing or manufacturing, the delivery of logs to a carrier for export, the export of logs, the acquisition of standing timber, the cutting of logs from standing timber, or any combination of such operations, and the corporation's active business income from logging shall be determined in accordance with sections 5200 and 5202 of the regulations made under the *Income Tax Act* (Canada) applied as if the references therein to "manufacturing and processing" were references to "logging";

"manufacturing and processing income" of a corporation means that portion of its income for the year, determined in accordance with the Act, that would qualify as "Canadian manufacturing and processing profits" for the purposes of section 125.1 of the *Income Tax Act* (Canada) except that, with respect to the processing of iron ore, processing from mineral resource to any stage that is not beyond the prime metal stage or its equivalent shall be deemed to be an activity listed in paragraph 125.1 (3) (b) of that Act that does not constitute manufacturing and processing;

"mining income" of a corporation means the aggregate of,

(a) the amount by which its resource profits from mining operations determined in accordance with the definition of "resource profits from mining operations" in subsection 101 (1) (but not including the amounts referred to in clauses (a) and (c) of that definition) exceeds any amount deducted for the year under clause 103 (b), and

(b) its active business income (other than income included by virtue of clause (a)) from the production of minerals from a mine that is an industrial mineral mine for the purpose of paragraph 1100 (1) (g) of the regulations made under the *Income Tax Act* (Canada), and such active business shall be determined in accordance with sections 5200 and 5202 of the regulations made under the *Income Tax Act* (Canada) applied as if the references therein to "manufacturing and processing" were references to "industrial mineral mine". R.R.O. 1980, Reg. 191, s. 507 (3); O. Reg. 756/83, s. 8 (2); O. Reg. 763/86, s. 13.

506.—(1) For the purpose of subsection 78 (8) of the Act, "first instalment base" of a corporation for a particular taxation year means the product obtained when the tax payable by the corporation under the Act for its taxation year immediately preceding that particular taxation year is multiplied by the ratio that 365 is of the number of days in that preceding taxation year.

(2) For the purpose of subsection 78 (8) of the Act, the "second instalment base" of a corporation for a particular taxation year means the first instalment base of the corporation for the taxation year immediately preceding the particular year.

(3) Despite subsections (1) and (2), for the purpose of subsection 78 (8) of the Act, where a particular taxation year of a new corporation that was formed as a result of an amalgamation (within the meaning of section 87 of the *Income Tax Act* (Canada) as made applicable by section 29 of the Act) is its first taxation year,

(a) its "first instalment base" for the particular taxation year means the aggregate of all amounts, each of which is the product obtained when the tax payable under the Act by a predecessor corporation (within the meaning assigned by section 87 of the *Income Tax Act* (Canada) as made applicable by section 29 of the Act) for its last taxation year is multiplied by the ratio that 365 is of the number of days in that year; and

(b) its "second instalment base" for the particular year means the aggregate of all amounts each of which is the first instalment base of a predecessor corporation for its last taxation year. O. Reg. 254/82, s. 33.

PART VI
FORMS

601. A notice of objection under section 84 of the Act shall be in Form 1. R.R.O. 1980, Reg. 191, s. 601.

602. A notice of appeal under section 85 of the Act shall be in Form 2. R.R.O. 1980, Reg. 191, s. 602.

603. A notice of waiver under section 80 of the Act shall be in Form 3 in English or in French. O. Reg. 215/89, s. 1.

604. A notice of revocation of a waiver under clause 80 (11) (a) of the Act shall be in Form 4 in English or in French. O. Reg. 215/89, s. 2.

PART VII
BANK RESERVES

701.—(1) For the purposes of subsection 11 (13) of the Act, in the application of subsection 26 (2) of the *Income Tax Act* (Canada), the reasonable requirements of a bank for a taxation year shall be the amount that the bank is otherwise entitled to claim for the purposes of Part II of the Act to the extent that the amount is not in excess of the aggregate of,

(a) the amount deducted and allowed under subsection 26 (2) of the *Income Tax Act* (Canada) in the computation of the bank's income for the taxation year for the purposes of that Act; and

(b) the amount, if any, by which,

(i) the total of the amounts deducted and allowed in computing income under subsection 26 (2) of the *Income Tax Act* (Canada) for the purposes of that Act,

exceeds,

(ii) the total of the amounts deducted and allowed in computing the income for the purposes of the Act under subsection 26 (2) of the *Income Tax Act* (Canada), as made applicable by subsections 11 (1) and (13) of the Act,

for prior taxation years ending after 1979.

(2) For the purposes of subsection 11 (13) of the Act, in the application of section 26 of the *Income Tax Act* (Canada) for the purposes of the Act, the following amounts are in excess of the reasonable requirements of a bank and shall be included in computing the income of the bank for the taxation year:

1. An amount included in the income of the bank for a taxation year under subsection 26 (1) of the *Income Tax Act* (Canada) for the purposes of that Act.

2. An amount claimed by the bank in the computation of its income for the purposes of the Act in excess of the amount allowed under subsection (1). O. Reg. 191/85, s. 3.

PART VIII
PRESCRIBED TAX CONVENTIONS

801. For the purposes of subsection 37 (3) of the Act, the following Tax Treaties or Conventions are prescribed:

1. Canada-United States Income Tax Convention, 1980. O. Reg. 763/86, s. 15.

Form 1

Corporations Tax Act

Ministry of Revenue
Ontario

Notice of Objection

Name of Taxpayer (Corporation, Purchaser, Registrant, Vendor) | Telephone No. ( )

Mailing Address — Street Number and Name

City/Town | Province | Postal Code

NOTICE OF OBJECTION is hereby given to the:

☐ Assessment No. | Date of Notice of Assessment (Year / Month / Day) | Amount of Tax $ | for Period ending (Year / Month / Day)

OR

☐ Statement of Disallowance of Rebate/Refund Claim No. _____ | Statement Date (Year / Month / Day) | Rebate/Refund Amount $

under the following act (check one only and indicate account/permit number)

☐ CORPORATIONS TAX ACT – Account Number
☐ GASOLINE TAX ACT – Permit Number
☐ LAND TRANSFER TAX ACT
☐ RETAIL SALES TAX ACT – Permit Number
☐ TOBACCO TAX ACT – Permit Number
☐ FUEL TAX ACT – Permit Number
☐ MINING TAX ACT – Account Number
☐ RACE TRACKS TAX ACT – Permit Number

The following are the reasons for objection and the relevant facts:

(If space is insufficient, a separate memorandum should be attached setting forth the full statement of reasons for objection and relevant facts.)

☐ Check here if additional sheets are attached.

Appointment of Representative

I confirm that _____
has the authority to communicate on my/the company's behalf concerning this Notice of Objection.
I authorize the Tax Appeals Branch to collect personal information from and disclose personal information to my representative in accordance with the Freedom of Information and Protection of Privacy Act.

This NOTICE OF OBJECTION must be signed by the person objecting or an authorized signing officer of the company.

Date	Name (print)	Signature	Position or Office

O. Reg. 60/90, s. 1.

Form 2

Corporations Tax Act

Ontario

Notice of Appeal

IN THE ONTARIO COURT (GENERAL DIVISION)

In The Matter of the (Check one only):

- ☐ Corporations Tax Act
- ☐ Gasoline Tax Act
- ☐ Retail Sales Tax Act
- ☐ Tobacco Tax Act
- ☐ Land Transfer Tax Act
- ☐ Fuel Tax Act
- ☐ Mining Tax Act
- ☐ Race Tracks Tax Act

BETWEEN

Appellant,

– AND –

THE MINISTER OF REVENUE Respondent.

TAKE NOTICE that pursuant to (Check one only):

- ☐ Section 85 of the Corporations Tax Act
- ☐ Section 14 of the Gasoline Tax Act
- ☐ Section 25 of the Retail Sales Tax Act
- ☐ Section 22 of the Tobacco Tax Act
- ☐ Section 14 of the Land Transfer Tax Act
- ☐ Section 14 of the Fuel Tax Act
- ☐ Section 10 of the Mining Tax Act
- ☐ Section 11 of the Race Tracks Tax Act

the Appellant appeals to the Ontario Court (General Division) from the decision of the Minister of Revenue

dated the day of 19

in respect of ,

	Assessment No.	Date of Notice of Assessment (Year / Month / Day)	Amount of Tax	for Period ending (Year / Month / Day)
☐			$	
OR				
☐	Statement of Disallowance	Statement Date (Year / Month / Day)		Rebate/Refund Amount
				$

STATEMENT OF REASONS FOR APPEAL

(Set out relevant facts and law to be relied on in support of the appeal in a separate memorandum attached to this form.)

Appointment of Representative

I confirm that _____ has the authority to communicate on my/the company's behalf concerning this Notice of Appeal. I authorize the Ministry of Revenue to collect personal information from and disclose personal information to my representative in accordance with the Freedom of Information and Protection of Privacy Act.

This NOTICE OF APPEAL must be signed by the Appellant or by an authorized representative.

Date	Name (print)	Signature	Position or Office

O. Reg. 60/90, s. 2.

Ministry of Revenue
Corporations Tax Branch
Ontario

Form 3

Corporations Tax Act

WAIVER OF TIME LIMIT FOR ISSUING REASSESSMENTS

For use by corporations to waive the time limit within which the Minister may assess, reassess, or make additional assessments under the *Corporations Tax Act.*

Two completed copies of this waiver are to be sent by REGISTERED MAIL addressed to the Minister of Revenue, Ministry of Revenue, Corporations Tax Branch, P.O. Box 622, 33 King Street West, Oshawa, Ontario L1H 8H6, within the time limit specified in clause 80 (11) (c) of the *Corporations Tax Act.*

In order for a waiver to be valid the income tax and/or capital tax matter(s) in respect of which the limit is waived must be specified in the space provided. The waiver will automatically apply to any matter(s) that are consequential to any specified matter(s).

This is a permanent waiver with respect to the herein specified matter(s).

A waiver which stipulates a time limit will not be accepted.

This waiver may be revoked under clause 80 (12) (a) of the *Corporations Tax Act*, by filing a "Notice of Revocation of Waiver" (Form 4).

This waiver must be signed by a signing officer with the authority to bind the corporation.

.....

Name of Corporation

.....

Give full address including City, Town, Municipality, County and Province

.....

Account Number								**Taxation year to which this waiver applies**	**Month ..... 19.....**

WAIVER

The time limit referred to in subsection 80 (11) of the *Corporations Tax Act*, within which the Minister may reassess or make additional assessments or assess tax, interest or penalties under the Act is hereby waived for the taxation year indicated above, in respect of:

Signature	Position or Office	Date

O. Reg. 763/86, s. 16 (1), *part.*

Ministère du Revenu
Ontario

Direction de l'imposition des compagnies

Formule 3

Loi sur l'imposition des corporations

RENONCIATION AU DÉLAI POUR L'ÉTABLISSEMENT DE NOUVELLES COTISATIONS

À l'usage des corporations qui désirent renoncer à ce que soit limité le délai pendant lequel le ministre peut fixer des impôts ou établir une nouvelle cotisation ou des cotisations supplémentaires d'impôt en vertu de la *Loi sur l'imposition des corporations*.

Deux copies dûment remplies de la présente renonciation doivent être envoyées par COURRIER RECOMMANDÉ au ministre du Revenu, ministère du Revenu, Direction de l'imposition des compagnies, C.P. 622, 33, rue King ouest, Oshawa (Ontario) L1H 8H6, dans le délai précisé à l'alinéa 80 (11) c) de la *Loi sur l'imposition des corporations*.

Pour qu'une renonciation soit valide, les questions relevant de l'impôt sur le revenu et/ou sur le capital et qui font l'objet de la renonciation doivent être précisées dans l'espace prévu à cette fin. La renonciation s'applique automatiquement aux questions qui découlent des questions précisées.

La présente est une renonciation permanente relativement aux questions qui y sont précisées.

Une renonciation qui stipule un délai n'est pas acceptée.

La présente renonciation peut être révoquée en vertu de l'alinéa 80 (12) a) de la *Loi sur l'imposition des corporations*, par le dépôt d'un avis de révocation de renonciation (formule 4).

La présente renonciation doit être signée par un signataire autorisé à lier la corporation.

.....

Nom de la corporation

.....

Adresse complète, y compris les cité, municipalité, comté et province

.....

Numéro de compte								**Année d'imposition faisant l'objet de la renonciation**	**mois de clôture ..... 19.....**

RENONCIATION

Nous renonçons, par la présente, à ce que soit limité le délai visé au paragraphe 80 (11) de la *Loi sur l'imposition des corporations*, et pendant lequel le ministre peut établir une nouvelle cotisation ou des cotisations supplémentaires d'impôt ou fixer des impôts, intérêts ou pénalités en vertu de la loi pour l'année d'imposition indiquée ci-dessus et relativement à :

Signature	Titre ou fonction	Date

Règl. de l'Ont. 215/89, art. 3, *en partie*.

Ministry of Revenue Corporations Tax Branch
Ontario

Form 4

Corporations Tax Act

NOTICE OF REVOCATION WAIVER

For use by corporations to revoke under clause 80 (12) (a) of the *Corporations Tax Act*, a waiver (Form 3) previously filed, in respect of the time limit for issuing reassessments.

A separate Notice of Revocation must be completed for each waiver to be revoked.

Two completed copies of this notice, along with a copy of the waiver previously filed, are to be sent by REGISTERED MAIL addressed to the Minister of Revenue, Ministry of Revenue, Corporations Tax Branch, P.O. Box 622, 33 King Street West, Oshawa, Ontario L1H 8H6.

The waiver will be revoked automatically on the day that is one year after the date the Notice of Revocation is filed with the Minister of Revenue.

A copy of the notice will be returned to the corporation with the date filed with the Minister of Revenue indicated thereon.

A "Notice of Revocation of Waiver" cannot be rescinded or cancelled once it has been filed with the Minister of Revenue.

This Notice of Revocation must be signed by a signing officer with the authority to bind the corporation.

A corporation may revoke, under clause 80 (12) (b) of the *Corporations Tax Act*, the "automatic waiver" for Ontario purposes resulting from the filing of a federal waiver under subsection 152 (4) of the *Income Tax Act* (Canada). To do this the corporation must file with the Minister of Revenue a copy of the federal Notice of Revocation of Waiver filed under subsection 152 (4.1) of the *Income Tax Act* (Canada). Such "automatic waiver" will be revoked on the day that is one year after the date the copy of the federal Notice of Revocation of Waiver (Federal Form T652) is filed with the Minister of Revenue.

.....

Name of Corporation

.....

Give full address including City, Town, Municipality, County and Province

.....

Account Number								**Date on which relevant waiver (Form 3) was signed**

I hereby request revocation of the attached waiver (Form 3) for the taxation year Month .....

19.....

Signature	Position or Office	Date

Date received by the Ministry of Revenue	

O. Reg. 763/86, s. 16 (2).

Ministère du Revenu
Ontario

Direction de l'imposition des compagnies

Formule 4

Loi sur l'imposition des corporations

AVIS DE RÉVOCATION DE RENONCIATION

À l'usage des corporations qui désirent révoquer, en vertu de l'alinéa 80 (12) a) de la *Loi sur l'imposition des corporations*, une renonciation (formule 3) déjà déposée relativement au délai d'établissement de nouvelles cotisations.

Un avis distinct de révocation doit être rempli pour chaque renonciation qui doit être révoquée.

Deux copies dûment remplies du présent avis, accompagnées d'une copie de la renonciation déjà déposée, doivent être envoyées par COURRIER RECOMMANDÉ au ministre du Revenu, ministère du Revenu, Direction de l'imposition des compagnies, C.P. 622, 33, rue King ouest, Oshawa (Ontario) L1H 8H6.

La renonciation est révoquée automatiquement un an après la date du dépôt de l'avis de révocation auprès du ministre du Revenu.

Une copie de l'avis, portant la date de dépôt auprès du ministre du Revenu, est renvoyée à la corporation.

Une fois déposé auprès du ministre du Revenu, un avis de révocation de renonciation ne peut être annulé.

Le présente avis de révocation doit être signé par un signataire autorisé à lier la corporation.

Une corporation peut, en vertu de l'alinéa 80 (12) b) de la *Loi sur l'imposition des corporations*, révoquer la "renonciation automatique" aux fins des impôts ontariens, résultant du dépôt d'une renonciation fédérale en vertu du paragraphe 152 (4) de la *Loi de l'impôt sur le revenu* (Canada). Pour ce faire, le corporation doit déposer, auprès du ministre du Revenue, une copie de l'avis fédéral de révocation de renonciation déposé en vertu du paragraphe 152 (4.1) de la *Loi de l'impôt sur le revenu* (Canada). La "renonciation automatique" est révoquée un an après la date du dépôt de la copie de l'avis fédéral de révocation de renonciation (formule fédérale T652) auprès du ministre du Revenu.

.....

Nom de la corporation

.....

Adresse complète, y compris les cité, municipalité, comté et province

.....

Numéro de compte							**Date à laquelle la renonciation correspondante (formule 3) a été signée**

Je demande, par la présente, que la renonciation (formule 3) ci-jointe soit révoquée pour l'année d'imposition mois de clôture ..... 19.....

Signature	Titre ou fonction	Date

Date de réception au ministère du Revenu

Règl. de l'Ont. 215/89, art. 3, *en partie.*

Reg./Règl. 184

Costs of Distress Act
Loi sur les frais de saisie-gagerie

REGULATION 184

COSTS

1. The fees and costs referred to in sections 1 and 2 of the Act are prescribed as follows:

1. Levying distress where the claim is $100 or under ..... $ 3.00

   Where the claim exceeds $100, add 50 cents for each succeeding $100 or part thereof up to a maximum of $6.

2. Possession charges per day per person, where close possession is actually necessary 10.00

3. For taking bond in lieu of possession 3.00

4. Receiving, filing and preparing warrant 3.00

5. Every mile or part of a mile necessarily travelled one way to enforce warrant 0.20

6. Where the amount due is satisfied in whole or in part after seizure and before sale, 5 per cent of the amount paid or $10, whichever is the greater.

7. For appraisal, 5 cents for each $1 of the value of the goods or the actual reasonable expenses paid for the appraisal by two appraisers, whichever is the greater.

8. The cost of advertising actually paid and reasonably incurred.

9. Every necessary notice of sale $1.00

10. The actual expenses reasonably incurred in tracing, recovering, removing and handling the goods distrained.

11. Commission on sale of 10 per cent of the proceeds of the sale.

R.R.O. 1980, Reg. 192, s. 1; O. Reg. 689/87, s. 1.

Courts of Justice Act
Loi sur les tribunaux judiciaires

REGULATION 185

BILINGUAL PROCEEDINGS

1. In this Regulation,

"consecutive", when used in reference to interpretation, means given during periodic pauses in the material being interpreted so as to be heard by every person present;

"electronic simultaneous", when used in reference to interpretation, means given concurrently with the material being interpreted and communicated by an electronic amplification and distribution system so as to be heard by every person present who uses an individual electronic apparatus for the purpose;

"whispered", when used in reference to interpretation, means given concurrently with the material being interpreted so as to be heard only by the persons in the interpreter's immediate vicinity. O. Reg. 806/84, s. 1.

2.—(1) A party may exercise a right under subsection 136 (1) of the Act (bilingual proceedings),

(a) in a proceeding in any court, by filing a requisition in Form 1 with the clerk or local registrar where the proceeding was commenced, within the time limits prescribed by subsection (2);

(b) in a proceeding in the Unified Family Court, the Ontario Court (Provincial Division) or the Small Claims Court by,

(i) making an oral statement to the court during an appearance in the proceeding, or

(ii) filing a written statement with the clerk where the proceeding was commenced,

within the time limits prescribed by subsection (2);

(c) in a proceeding in the Ontario Court (Provincial Division), by filing the party's application or answer in the French language; and

(d) in a proceeding in the Small Claims Court, by filing the party's claim or defence in the French language. O. Reg. 806/84, s. 2 (1), *revised.*

(2) The requisition or statement referred to in clause (1) (a) or (b) shall be filed or made, as the case may be,

(a) in the case of an action in the Ontario Court (General Division), before the action is set down for trial;

(b) in the case of an action in the Small Claims Court, before the notice of trial is sent;

(c) in the case of an application made by the party, at the time the application is commenced;

(d) in the case of a proceeding in the Ontario Court (Provincial Division),

(i) if a summons is served on the defendant under Part I or III of the *Provincial Offences Act*, at the time the trial date is set,

(ii) if an offence notice is served on the defendant under Part I of that Act, at the time the offence notice is delivered to the court, and

(iii) if a parking infraction notice is served on the defendant under Part II of that Act, at the time the parking infraction notice is delivered to the place specified in the notice; and

(e) in all other cases, at least seven days before the hearing,

or subsequently with leave of the court. O. Reg. 806/84, s. 2 (2); O. Reg. 432/87, s. 1 (1), *revised.*

(3) A party who files a requisition under clause (1) (a) in a proceeding in the Ontario Court (General Division) shall forthwith serve a copy of the requisition on every other party to the proceeding. O. Reg. 806/84, s. 2 (3), *revised.*

(4) In a proceeding in the Unified Family Court, the Ontario Court (Provincial Division) or the Small Claims Court, where a party files a requisition under clause (1) (a) or makes or files a statement under clause (1) (b), the clerk shall forthwith notify every other party to the proceeding of the requisition or statement, by ordinary mail. O. Reg. 806/84, s. 2 (4), *revised.*

(5) In the Ontario Court (Provincial Division), a statement to be filed under subclause (1) (b) (ii) may be written directly on the party's offence notice or parking infraction notice. O. Reg. 806/84, s. 2 (5); O. Reg. 432/87, s. 1 (2), *revised.*

3.—(1) A party may exercise a right under subsection 136 (3) of the Act (hearing of appeal before bilingual judge or judges) by filing a requisition (Form 1) with the registrar or clerk of the court to which the appeal is taken,

(a) if the party is the appellant, at the time the notice of appeal is filed; and

(b) if the party is the respondent, within ten days after the notice of appeal is served,

or subsequently with leave of the court.

(2) A party who files a requisition under subsection (1) shall forthwith serve a copy of it on every other party to the appeal. O. Reg. 806/84, s. 3, *part, revised.*

4. In a proceeding in which a party has exercised a right under subsection 136 (1) of the Act, every party who seeks an appointment for an examination to be conducted before or after the hearing shall advise the examiner in writing at the time of making the appointment that the examination is governed by paragraph 5 of subsection 136 (2) of the Act, and in that case the examiner shall ensure that a court reporter and an interpreter who speak both the English and French languages are available for the examination. O. Reg. 806/84, s. 5.

5. In a proceeding in which a party has exercised a right under subsection 136 (1) of the Act, a transcript of oral evidence shall include any consecutive or electronic simultaneous interpretation into the English or French language that is provided but need not include whispered interpretation. O. Reg. 806/84, s. 6.

6. A party who,

(a) acts in person and intends to make submissions to the court in the French language; or

(b) intends to call a witness who will give oral evidence in the French language,

at a hearing to which subsection 136 (7) of the Act applies (interpretation at English trial) shall advise the court of the fact in writing at

least ten days before the hearing, or subsequently with leave of the court. O. Reg. 806/84, s. 7.

7.—(1) Oral interpretation provided by the court under paragraph 9 of subsection 136 (2) of the Act shall be consecutive unless the provision of electronic simultaneous interpretation is authorized under subsection (2) or (3). O. Reg. 806/84, s. 8 (1).

(2) The Deputy Attorney General may, at a party's request made at least thirty days before the hearing, authorize the provision of electronic simultaneous interpretation if satisfied that the special circumstances of the case justify the expense. O. Reg. 806/84, s. 8 (2), *revised.*

(3) Where a party's request under subsection (2) is refused and the court is satisfied that the provision of electronic simultaneous interpretation is essential to the proper administration of justice, the court may authorize the provision of electronic simultaneous interpretation. O. Reg. 806/84, s. 8 (3).

(4) Subsections (1), (2) and (3) do not apply to a prosecution in the Ontario Court (Provincial Division). O. Reg. 806/84, s. 8 (4), *revised.*

(5) In a prosecution in the Ontario Court (Provincial Division),

(a) where the prosecution is conducted by an agent of the Attorney General, oral interpretation provided by the court under paragraph 9 of subsection 136 (2) of the Act shall be whispered interpretation provided for the defendant only, unless the defendant expressly requests that the whole proceeding be interpreted, and in that case consecutive interpretation shall be provided; and

(b) where the prosecution is not conducted by an agent of the Attorney General, consecutive interpretation shall be provided. O. Reg. 806/84, s. 8 (5), *revised.*

8.—(1) In a proceeding in which a party has exercised a right under subsection 136 (1) of the Act, a witness who speaks neither the English nor the French language shall be questioned only in the one of those two languages that the judge determines is understood by all counsel, and the witness' testimony shall be interpreted only into that language.

(2) Where a party does not understand the language in which a witness is being questioned under subsection (1), the court shall provide whispered interpretation of the witness' questions and answers for that party only. O. Reg. 806/84, s. 9.

9. In a prosecution in the Ontario Court (Provincial Division) in which a party has exercised a right under subsection 136 (1) of the Act, if an agent of the Attorney General conducts the prosecution each witness may choose whether he or she wishes to be questioned in the English or French language. O. Reg. 806/84, s. 10, *revised.*

Form 1

Courts of Justice Act

REQUISITION—BILINGUAL PROCEEDING

(Court file no.)

(Court)

(Title of proceeding)

REQUISITION

(Name of party), a party who speaks the French language, requires that:

1. The hearing be conducted before a judge or a judge and jurors who speak both the English and French languages.

2. The hearing of the appeal be conducted before a judge or judges who speak both the English and French languages.

(choose 1 or 2)

(Date) (Name, address and telephone number of solicitor or party filing requisition)

O. Reg. 806/84, Form 1.

REGULATION 186

DESIGNATION OF REGIONS

1. For the purposes of the Act, the Province of Ontario is divided into the regions described in the Schedule. O. Reg. 705/89, s. 1.

2. The offices of the regional senior judges, the regional director of courts administration and the regional director of Crown attorneys for each region are to be located in the following municipalities:

1. Northwest Region	The City of Thunder Bay.
2. Northeast Region	The City of Sudbury.
3. East Region	The City of Ottawa.
4. Central East Region	The Town of Newmarket.
5. Toronto Region	The City of Toronto.
6. Central West Region	The City of Brampton.
7. Central South Region	The City of Hamilton.
8. Southwest Region	The City of London.

O. Reg. 705/89, s. 2.

Schedule

Region	Area
Northwest Region	The territorial districts of Kenora, Rainy River and Thunder Bay.
Northeast Region	The territorial districts of Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury and Timiskaming.
East Region	1. The counties of Frontenac, Hastings, Lanark, Lennox and Addington, Prince Edward and Renfrew. 2. The united counties of, i. Leeds and Grenville, ii. Prescott and Russell, and iii. Stormont, Dundas and Glengarry. 3. The Regional Municipality of Ottawa-Carleton.
Central East Region	1. The District Municipality of Muskoka. 2. The counties of Haliburton, Northumberland, Peterborough, Simcoe and Victoria. 3. The regional municipalities of Durham and York.
Toronto Region	The Municipality of Metropolitan Toronto.
Central West Region	1. The counties of Bruce, Dufferin, Grey and Wellington. 2. The regional municipalities of Halton and Peel.

Central South Region	1. The County of Brant. 2. The regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth, Niagara and Waterloo.
Southwest Region	The counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford and Perth. O. Reg. 705/89, Sched.

REGULATION 187

DISTRICT OF ALGOMA CIVIL CASE MANAGEMENT RULES

APPLICATION OF RULES

These rules

1.—(1) These rules apply to civil and family proceedings commenced in the District of Algoma.

Rules of Civil Procedure

(2) The Rules of Civil Procedure also apply to proceedings to which these rules apply, but in the event of a conflict between these rules and the Rules of Civil Procedure, these rules prevail.

Time for defence

(3) The time for delivery of a statement of defence is, subject to the provisions of any Act, the shorter of the time provided by these rules and the time provided by the Rules of Civil Procedure.

Default procedures

(4) Nothing in these rules prevents a plaintiff from signing default judgment or taking other measures on default by a party in accordance with the Rules of Civil Procedure or the Act under which an originating process is issued, even if the time periods in these rules are longer than those provided in the Rules of Civil Procedure or the Act.

Dispensing with these rules

(5) The court may dispense with compliance with any of these rules where it is just and necessary to do so. O. Reg. 442/90, r. 1.

INTERPRETATION

2.—(1) These rules shall be liberally interpreted to effect the just, expeditious and least expensive determination on its merits of every proceeding to which they apply.

(2) Where a procedure is not provided for in these rules, the practice shall be determined in accordance with the principles set out in subrule (1). O. Reg. 442/90, r. 2.

DEFINITIONS

3. In these rules,

"case management judge" means the judge assigned to a proceeding under rule 12; ("juge responsable de la gestion des causes")

"Day 1" means the day on which a proceeding is commenced; ("jour premier")

RÈGLEMENT 187

RÈGLES DE GESTION DES CAUSES CIVILES DU DISTRICT D'ALGOMA

CHAMP D'APPLICATION DES RÈGLES

Présentes règles

1 (1) Les présentes règles s'appliquent aux instances civiles et aux instances en droit de la famille introduites dans le district d'Algoma.

Règles de procédure civile

(2) Les Règles de procédure civile s'appliquent également aux instances auxquelles s'appliquent les présentes règles. Toutefois, en cas d'incompatibilité entre les présentes règles et les Règles de procédure civile, les premières l'emportent.

Délai de remise d'une défense

(3) Sous réserve des dispositions de toute loi, le délai de remise d'une défense correspond au délai prévu par les présentes règles ou à celui prévu par les Règles de procédure civile, si ce dernier est plus court.

Procédure en cas de défaut

(4) Les présentes règles n'ont pas pour effet d'empêcher un demandeur de consigner un jugement par défaut ou de prendre d'autres mesures en cas de défaut d'une partie, conformément aux Règles de procédure civile ou à la Loi aux termes de laquelle un acte introductif d'instance est délivré, même si les délais impartis dans les présentes règles sont plus longs que ceux prévus par les Règles de procédure civile ou la Loi.

Dispense d'observation des présentes règles

(5) Le tribunal peut dispenser les parties de l'observation de n'importe laquelle des présentes règles s'il estime cela juste et nécessaire. Règl. de l'Ont. 442/90, règle 1.

INTERPRÉTATION

2 (1) Les présentes règles doivent recevoir une interprétation large afin d'assurer la résolution équitable sur le fond, d'une façon expéditive et de la façon la moins onéreuse, des instances auxquelles elles s'appliquent.

(2) Si une procédure n'est pas prévue par les présentes règles, la pratique applicable est déterminée conformément aux principes énoncés au paragraphe (1). Règl. de l'Ont. 442/90, règle 2.

DÉFINITIONS

3 Les définitions qui suivent s'appliquent aux présentes règles.

«affidavit de défense» Affidavit déposé en réponse à une requête. («responding affidavit»)

«déclaration» S'entend notamment d'un acte introductif d'instance. («statement of claim»)

"defendant" includes a respondent in a divorce action or an application; ("défendeur")

"plaintiff" includes a petitioner in a divorce action and an applicant; ("demandeur")

"responding affidavit" means an affidavit filed in response to an application; ("affidavit de défense")

"statement of claim" includes any originating process; ("déclaration")

"statement of defence" includes an answer, a responding affidavit, a counterclaim, a counterpetition and a counter-application; ("défense")

"trial" includes the hearing of an application. ("procès") O. Reg. 442/90, r. 3.

«défendeur» S'entend en outre de l'intimé dans une action en divorce ou dans une requête. («defendant»)

«défense» S'entend en outre d'une défense à la requête en divorce, d'un affidavit de défense, d'une demande reconventionnelle, d'une requête reconventionnelle, ainsi que d'une requête reconventionnelle en divorce. («statement of defence»)

«demandeur» S'entend en outre d'un requérant, et notamment d'un requérant dans une action en divorce. («plaintiff»)

«jour premier» Le jour auquel une instance est introduite. («Day 1»)

«juge responsable de la gestion des causes» Le juge affecté à une instance aux termes de la règle 12. («case management judge»)

«procès» S'entend en outre de l'audition d'une requête. («trial») Règl. de l'Ont. 442/90, règle 3.

CASE INFORMATION STATEMENT

Plaintiff files on commencement

4.—(1) The plaintiff shall file a case information statement (Form 1) with the statement of claim when commencing a proceeding.

Choice of track

(2) In the case information statement, the plaintiff shall select the expedited track, the standard track or the complex track provided under rules 7 to 9.

Change of track

(3) The plaintiff may change the track selection before service of the statement of claim by filing an amended case information statement.

Service

(4) The plaintiff shall serve the case information statement in duplicate on every defendant with the statement of claim. O. Reg. 442/90, r. 4.

RESPONSE TO CASE INFORMATION STATEMENT

Defendant completes, serves and files

5.—(1) Every defendant shall complete the defendant's portion of the case information statement served on him or her, showing the defendant's response to the information and time estimates provided and the track selected by the plaintiff, and shall serve the completed case information statement on the plaintiff and file it.

No dispute

(2) Where no defendant disputes the track selected by the plaintiff, the proceeding shall be on the track selected by the plaintiff.

Dispute followed by agreement

(3) Where a defendant disputes the information or time estimates provided or the track selected by the plaintiff, the parties shall confer and attempt to agree on the information, time estimates and track selection and, if the parties reach agreement, they shall jointly file an amended case information statement.

Dispute procedure where no agreement

(4) Where the parties are unable to agree on the information, time estimates or track selection, the case management judge, on request of a party, shall hold a case conference and determine the information, time estimates and track for the proceeding. O. Reg. 442/90, r. 5.

EXPOSÉ INFORMATIF DE CAUSE

Dépôt des documents par le demandeur à l'introduction

4 (1) Le demandeur dépose, avec sa déclaration, un exposé informatif de cause (formule 1) au moment de l'introduction de l'instance.

Choix d'une voie

(2) Le demandeur indique dans l'exposé informatif de cause son choix entre la voie accélérée, la voie ordinaire ou la voie des causes complexes prévues aux règles 7 à 9.

Changement de voie

(3) Le demandeur peut modifier son choix de voie avant de signifier sa déclaration en déposant à cette fin un exposé informatif de cause modifié.

Signification

(4) Le demandeur signifie à chaque défendeur l'exposé informatif de cause en double exemplaire, accompagné de la déclaration. Règl. de l'Ont. 442/90, règle 4.

RÉPONSE À L'EXPOSÉ INFORMATIF DE CAUSE

Signification et dépôt par le défendeur de l'exposé dûment rempli

5 (1) Chaque défendeur remplit la partie qui lui est réservée de l'exposé informatif de cause qui lui a été signifié, en indiquant sa réponse à l'égard des renseignements fournis, des délais envisagés et de la voie choisie par le demandeur. Après l'avoir dûment rempli, il signifie cet exposé au demandeur et le dépose.

Absence de contestation

(2) Si aucun défendeur ne conteste la voie choisie par le demandeur, l'instance est placée dans la voie choisie par ce dernier.

Contestation suivie d'un accord

(3) Si un défendeur conteste les renseignements fournis, les délais envisagés ou la voie choisie par le demandeur, les parties confèrent et tentent de s'entendre sur les renseignements, les délais envisagés et le choix d'une voie. Si elles parviennent à un accord, les parties déposent conjointement un exposé informatif de cause modifié.

Procédure de résolution du différend à défaut d'accord

(4) Si les parties ne peuvent se mettre d'accord sur les renseignements, les délais envisagés ou le choix d'une voie, le juge responsable de la gestion des causes, sur demande d'une partie, tient une étude de cause en groupe et rend une décision sur les renseignements, les délais envisagés et la voie en ce qui concerne l'instance. Règl. de l'Ont. 442/90, règle 5.

TIME

6.—(1) The parties may by agreement abridge any time on the case information statement.

(2) The case management judge may at a case conference change the track of a proceeding or abridge or extend the time within which a step is to be taken. O. Reg. 442/90, r. 6.

EXPEDITED TRACK

7.—(1) In a proceeding on the expedited track,

(a) the plaintiff shall file proof of service of the statement of claim and case information statement within forty days after Day 1;

(b) the defendant shall file the statement of defence with proof of service not later than seventy days after Day 1, unless subrule 1 (3) prescribes an earlier time;

(c) the registrar shall fix the date of the pre-trial conference within 100 days after Day 1;

(d) the pre-trial conference shall be held not more than 160 days after Day 1, but at least thirty days after the fixing of its date; and

(e) the trial shall begin not more than 220 days after Day 1, but at least thirty days after the pre-trial conference.

(2) If a party to an expedited track proceeding serves an affidavit of documents, every other party shall serve an affidavit of documents within ten days. O. Reg. 442/90, r. 7.

STANDARD TRACK

8. In a proceeding on the standard track,

(a) the plaintiff shall file proof of service of the statement of claim and case information statement within forty days after Day 1;

(b) the defendant shall file the statement of defence with proof of service not later than 100 days after Day 1, unless subrule 1 (3) prescribes an earlier time;

(c) the registrar shall fix the date of the pre-trial conference within 130 days after Day 1;

(d) the pre-trial conference shall be held not more than 250 days after Day 1, but at least thirty days after the fixing of its date; and

(e) the trial shall begin not more than 340 days after Day 1, but at least thirty days after the pre-trial conference. O. Reg. 442/90, r. 8.

COMPLEX TRACK

9. In a proceeding on the complex track,

(a) the plaintiff shall file proof of service of the statement of claim and case information statement within forty days after Day 1;

(b) the defendant shall file the statement of defence with proof of service not later than 100 days after Day 1, unless subrule 1 (3) prescribes an earlier time;

DÉLAIS

6 (1) Les parties peuvent, par accord, abréger tout délai indiqué sur l'exposé informatif de cause.

(2) Le juge responsable de la gestion des causes peut, lors d'une étude de cause en groupe, changer la voie d'une instance ou abréger ou proroger le délai dans lequel une mesure doit être prise. Règl. de l'Ont. 442/90, règle 6.

VOIE ACCÉLÉRÉE

7 (1) Dans une instance placée dans la voie accélérée :

a) le demandeur dépose une preuve de signification de la déclaration et de l'exposé informatif de cause dans les quarante jours suivant le jour premier;

b) le défendeur dépose la défense avec une preuve de sa signification au plus tard soixante-dix jours après le jour premier, à moins que le paragraphe 1 (3) ne prescrive une date plus rapprochée;

c) le greffier fixe la date de la conférence préparatoire au procès dans les 100 jours suivant le jour premier;

d) la conférence préparatoire au procès se tient au plus 160 jours après le jour premier, mais suit d'au moins trente jours la date de fixation de cette date;

e) le procès débute au plus 220 jours après le jour premier, mais au moins trente jours après la conférence préparatoire au procès.

(2) Si une partie à une instance placée dans la voie accélérée signifie un affidavit de documents, chacune des autres parties signifie un affidavit de documents dans les dix jours. Règl. de l'Ont. 442/90, règle 7.

VOIE ORDINAIRE

8 Dans une instance placée dans la voie ordinaire :

a) le demandeur dépose une preuve de signification de la déclaration et de l'exposé informatif de cause dans les quarante jours suivant le jour premier;

b) le défendeur dépose la défense avec une preuve de sa signification au plus tard 100 jours après le jour premier, à moins que le paragraphe 1 (3) ne prescrive une date plus rapprochée;

c) le greffier fixe la date de la conférence préparatoire au procès dans les 130 jours suivant le jour premier;

d) la conférence préparatoire au procès se tient au plus 250 jours après le jour premier, mais au moins trente jours après la date de fixation de cette date;

e) le procès débute au plus 340 jours après le jour premier, mais au moins trente jours après la conférence préparatoire au procès. Règl. de l'Ont. 442/90, règle 8.

VOIE DES CAUSES COMPLEXES

9 Dans une instance placée dans la voie des causes complexes :

a) le demandeur dépose une preuve de signification de la déclaration et de l'exposé informatif de cause dans les quarante jours suivant le jour premier;

b) le défendeur dépose la défense avec une preuve de sa signification au plus tard 100 jours après le jour premier, à moins que le paragraphe 1 (3) ne prescrive une date plus rapprochée;

(c) the case management judge shall hold a case conference within thirty days after the filing of the statement of defence and shall set the estimated times for the holding of the pre-trial conference and the trial; and

(d) the trial shall begin within three years after Day 1. O. Reg. 442/90, r. 9.

c) le juge responsable de la gestion des causes tient une étude de cause en groupe dans les trente jours suivant le dépôt de la défense et fixe les dates prévues pour la tenue de la conférence préparatoire au procès et du procès;

d) le procès débute dans les trois ans suivant le jour premier. Règl. de l'Ont. 442/90, règle 9.

PROVISIONS APPLICABLE TO ALL TRACKS

DISPOSITIONS APPLICABLES À TOUTES LES VOIES

Defendant outside Ontario

10.—(1) Where a defendant is served with the statement of claim outside Ontario, the period for filing the statement of defence is extended by twenty days in the case of service elsewhere in Canada or the United States, or by forty days in the case of service anywhere else.

Défendeur en dehors de l'Ontario

10 (1) Si la déclaration est signifiée à un défendeur en dehors de l'Ontario, le délai imparti pour déposer la défense est prorogé de vingt jours dans le cas d'une signification faite ailleurs au Canada ou aux États-Unis, ou de quarante jours dans le cas d'une signification faite n'importe où ailleurs.

Notice of action and notice of intent to defend

(2) The times prescribed in these rules are not extended if a notice of action or notice of intent to defend is used.

Avis d'action et avis d'intention de présenter une défense

(2) Les délais prescrits par les présentes règles ne sont pas prorogés dans le cas d'un recours à un avis d'action ou à un avis d'intention de présenter une défense.

Discovery and cross-examinations

(3) Discovery or cross-examinations shall be held and undertakings arising from them shall be completed before the date of the pre-trial conference.

Interrogatoire préalable et contre-interrogatoires

(3) L'interrogatoire préalable est mené ou les contre-interrogatoires sont effectués et les engagements en découlant sont remplis avant la date de la conférence préparatoire au procès.

Trial record

(4) A trial record shall be served and filed before the date of the pre-trial conference.

Dossier d'instruction

(4) Un dossier d'instruction est signifié et déposé avant la date de la conférence préparatoire au procès.

Listing for trial

(5) It is not necessary to serve or file a notice of readiness for trial or a notice of listing for trial, and the registrar shall automatically list a proceeding for trial on the filing of the trial record.

Inscription pour instruction

(5) Il n'est pas nécessaire de signifier ou de déposer un avis de mise en état, ni un avis d'inscription pour instruction. Le greffier inscrit d'office l'instance au rôle dès que le dossier d'instruction est déposé.

Pre-trial brief

(6) Each party shall serve and file a pre-trial brief at least one week before the pre-trial conference.

Mémoire préparatoire au procès

(6) Chaque partie signifie et dépose un mémoire préparatoire au procès au moins une semaine avant la conférence préparatoire au procès.

Family proceedings

(7) In a family proceeding,

(a) each party shall serve and file a one-page summary of the issues with the pre-trial brief; and

(b) where equalization of net family property is in issue, each party shall serve and file a statement of net family property with the pre-trial brief. O. Reg. 442/90, r. 10.

Instances en droit de la famille

(7) Dans une instance en droit de la famille :

a) d'une part, chaque partie signifie et dépose un résumé d'une page des questions en litige avec le mémoire préparatoire au procès;

b) d'autre part, si l'égalisation des biens familiaux nets constitue une question en litige, chaque partie signifie et dépose un état des biens familiaux nets avec le mémoire préparatoire au procès. Règl. de l'Ont. 442/90, règle 10.

COUNTERCLAIM, CROSSCLAIM OR THIRD PARTY CLAIM

DEMANDES RECONVENTIONNELLES, DEMANDES ENTRE DÉFENDEURS OU MISES EN CAUSE

Same track as main action

11.—(1) A counterclaim, crossclaim or third party claim shall be on the same track as the main action.

Même voie que pour l'action principale

11 (1) Une demande reconventionnelle, une demande entre défendeurs ou une mise en cause sont placées dans la même voie que l'action principale.

Postponement of pre-trial and trial in main action

(2) If a counterclaim is made against a person who is not already a party to the main action or if a third party claim is issued, the pre-trial conference and trial in the main action shall be postponed in order that they may be held at the same time as the pre-trial conference and trial in the counterclaim or third party claim unless the case management judge directs otherwise.

Defence of main action by third party

(3) A third party who defends in the main action may do so within the time for defence of the third party claim.

Reply and defence to counterclaim

(4) A reply and defence to counterclaim, if any, shall be served within twenty days after delivery of the statement of defence and counterclaim. O. Reg. 442/90, r. 11.

CASE MANAGEMENT JUDGE

Assignment

12.—(1) A case management judge shall be assigned to a proceeding when the statement of claim is filed and the registrar shall note the judge's name on the case information statement.

Duties

(2) The case management judge is responsible for the management and general supervision of the proceeding and may make any orders necessary for the orderly disposition of the proceeding.

Duty judge

(3) The case management judge shall preside over all case conferences and the pre-trial conference in the proceeding, but if the case management judge is absent, the duty judge may preside.

Powers

(4) If a party does not comply with a time limit in these rules or with an order of the case management judge, the case management judge may, on notice to the party and the party's solicitor, in addition to any other remedies,

(a) where the non-compliance is on the part of a plaintiff, dismiss the plaintiff's proceeding;

(b) where the non-compliance is on the part of a defendant, strike out the statement of defence.

Not to preside at trial

(5) The case management judge shall not preside at the trial of the proceeding. O. Reg. 442/90, r. 12.

CASE CONFERENCES

When held

13.—(1) A case conference may be held at any time at the request of a party or the case management judge.

Report de la conférence préparatoire au procès et du procès relatifs à l'action principale

(2) Si une demande reconventionnelle est présentée contre une personne qui n'est pas déjà partie à l'action principale ou si une mise en cause est délivrée, la conférence préparatoire au procès et le procès relatifs à l'action principale sont reportés à plus tard afin qu'ils puissent avoir lieu en même temps que la conférence préparatoire au procès et que le procès relatifs à la demande reconventionnelle ou à la mise en cause, sauf ordonnance contraire du juge responsable de la gestion des causes.

Contestation de l'action principale par un tiers mis en cause

(3) Un tiers mis en cause qui veut présenter une défense dans l'action principale peut le faire dans le délai imparti pour présenter une défense à la mise en cause.

Réponse et défense reconventionnelle

(4) Toute réponse et défense reconventionnelle est signifiée dans les vingt jours suivant la remise de la défense et demande reconventionnelle. Règl. de l'Ont. 442/90, règle 11.

JUGE RESPONSABLE DE LA GESTION DES CAUSES

Affectation

12 (1) Lorsque la déclaration est déposée, un juge responsable de la gestion des causes est affecté à l'instance et le greffier indique le nom du juge sur l'exposé informatif de cause.

Fonctions

(2) Le juge responsable de la gestion des causes est chargé de l'administration et de la surveillance générale de l'instance et peut rendre toute ordonnance nécessaire pour assurer son règlement en bonne et due forme.

Juge de service

(3) Le juge responsable de la gestion des causes préside toutes les études de cause en groupe, ainsi que la conférence préparatoire au procès dans l'instance. Toutefois, en cas d'absence du juge responsable de la gestion des causes, le juge de service peut assurer la présidence.

Pouvoirs

(4) Si une partie n'observe pas un délai prévu par les présentes règles ou une ordonnance rendue par le juge responsable de la gestion des causes, ce dernier peut, sur préavis adressé à la partie et au procureur de celle-ci, en plus de tout autre recours :

a) rejeter l'instance du demandeur, si l'inobservation est le fait du demandeur;

b) radier la défense, si l'inobservation est le fait du défendeur.

Interdiction de présider le procès

(5) Le juge responsable de la gestion des causes ne doit pas présider le procès. Règl. de l'Ont. 442/90, règle 12.

ÉTUDES DE CAUSE EN GROUPE

Moment de la tenue de l'étude de cause en groupe

13 (1) Sur demande d'une partie ou du juge responsable de la gestion des causes, une étude de cause en groupe peut avoir lieu à n'importe quel moment.

Complex track

(2) Where a party selects the complex track in a case information statement, a case conference shall be held within thirty days after the filing of the statement of defence to discuss a plan of case management, to fix estimated completion dates and to resolve preliminary issues in the proceeding where possible.

Attendance of parties

(3) The case management judge may require the parties in addition to their solicitors to attend case conferences to facilitate the expeditious and orderly disposition of the proceeding.

By telephone

(4) A case conference may, with the consent of the case management judge, be held by means of a conference telephone call.

Documents not required

(5) No documentation need be filed by a party at a case conference unless the case management judge directs otherwise.

Costs

(6) The case management judge may award costs of a case conference and, if the judge awards costs, he or she shall fix them. O. Reg. 442/90, r. 13.

TRANSITIONAL

General

14.—(1) A proceeding commenced before the 4th day of September, 1990 becomes subject to these rules on the filing of any document after that date, and for the purpose,

(a) a case management judge shall be assigned immediately;

(b) the proceeding shall be deemed to be on the standard track; and

(c) the time periods for the standard track apply, running from the date of the most recent event referred to in rule 8 that has occurred in the proceeding.

Parties may adopt timetable

(2) The parties may agree to adopt a specific timetable for the disposition of an action started before the 4th day of September, 1990. O. Reg. 442/90, r. 14.

CIVIL CASE MANAGEMENT COMMITTEE

Composition

15.—(1) There shall be a Civil Case Management Committee composed of,

(a) two members of the Algoma District Law Association chosen by that Association to represent the civil bar and two members similarly chosen to represent the family bar;

(b) the local registrar, the deputy registrar and the Regional Director of Courts Administration or his or her designate; and

Voie des causes complexes

(2) Si une partie indique qu'elle choisit la voie des causes complexes dans l'exposé informatif de cause, une étude de cause en groupe a lieu dans les trente jours suivant le dépôt de la défense pour discuter d'un plan de gestion de la cause, fixer les dates d'exécution prévues et résoudre, dans la mesure du possible, les questions en litige préalables qui font l'objet de l'instance.

Présence des parties

(3) Le juge responsable de la gestion des causes peut exiger des parties qu'elles assistent, comme y sont tenus leurs procureurs, à des études de cause en groupe en vue de favoriser le règlement expéditif et en bonne et due forme de l'instance.

Conférence téléphonique

(4) Une étude de cause en groupe peut se faire par conférence téléphonique, si le juge responsable de la gestion des causes y consent.

Documents non requis

(5) Sauf ordonnance contraire du juge responsable de la gestion des causes, les parties ne sont pas tenues de déposer des documents lors d'une étude de cause en groupe.

Dépens

(6) Le juge responsable de la gestion des causes peut adjuger les dépens d'une étude de cause en groupe. S'il adjuge les dépens, il en fixe également le montant. Règl. de l'Ont. 442/90, règle 13.

DISPOSITIONS TRANSITOIRES

Dispositions générales

14 (1) Toute instance introduite avant le 4 septembre 1990 devient assujettie aux présentes règles si un document est déposé après cette date. À cette fin :

a) un juge responsable de la gestion des causes est immédiatement affecté à l'instance;

b) l'instance est réputée placée dans la voie ordinaire;

c) les délais relatifs à la voie ordinaire s'appliquent, et ce à compter de la date de l'événement le plus récent visé à la règle 8 qui est survenu au cours de l'instance.

Adoption possible d'un calendrier par les parties

(2) Les parties peuvent convenir d'adopter un calendrier particulier aux fins du règlement d'une action commencée avant le 4 septembre 1990. Règl. de l'Ont. 442/90, règle 14.

COMITÉ DE GESTION DES CAUSES CIVILES

Composition

15 (1) Est constitué un comité appelé Comité de gestion des causes civiles qui se compose des membres suivants :

a) deux membres de l'association d'avocats du district d'Algoma, choisis par cette association pour représenter les avocats exerçant en droit civil, et deux membres choisis d'une façon similaire pour représenter les avocats exerçant en droit de la famille;

b) le greffier local, le greffier adjoint et le directeur régional de l'administration des tribunaux ou la personne désignée à cette fin par ce dernier;

(c) the judges of the Ontario Court (General Division) who reside in the District of Algoma and the regional senior judge or his or her designate.

Rule amendments

(2) The Civil Case Management Committee shall consider proposals for amendments to these rules that are submitted to it and may present recommendations for amendment to the Civil Rules Committee. O. Reg. 442/90, r. 15.

ALTERNATIVE DISPUTE RESOLUTION

Civil case panel and family case panel

16.—(1) There shall be two alternative dispute resolution panels, one for civil proceedings and one for family proceedings, which shall consist of volunteer members of the Algoma District Law Association who are prepared to serve or any other persons agreed upon by the parties.

Duties of panel members

(2) Panel members shall hear and give opinions on issues that the parties ask them to determine in accordance with subrules (3) and (4).

Parties may agree to alternative dispute resolution

(3) The parties to a proceeding may agree at any time that, in addition to any other form of pre-trial conference, any issues in the proceeding be considered by one or two members of a dispute resolution panel.

Recommendation

(4) One or two members of the appropriate panel who are agreed to by the parties shall hear the issues and shall make a recommendation for the resolution of the issues.

Parties not bound by recommendation

(5) A recommendation of a panel member is not binding on the parties unless the parties agree otherwise in advance.

No disclosure to the court

(6) No communication shall be made to the judge or officer presiding at the hearing of the proceeding or a motion or reference in the proceeding with respect to any statement made at the alternative dispute resolution hearing, unless the parties and the panel members consent. O. Reg. 442/90, r. 16.

SHORT TITLE

17. These rules may be cited as the Algoma Civil Case Management Rules.

REVOCATION

18. These rules are revoked on the 7th day of September, 1992.

c) les juges de la Cour de l'Ontario (Division générale) qui résident dans le district d'Algoma et le juge principal régional ou la personne désignée à cette fin par ce dernier.

Modification des présentes règles

(2) Le Comité de gestion des causes civiles examine les propositions de modification des présentes règles qui lui sont soumises et peut soumettre des recommandations de modification au Comité des règles en matière civile. Règl. de l'Ont. 442/90, règle 15.

RÈGLEMENT PARALLÈLE DES DIFFÉRENDS

Comité des causes civiles et comité des causes en droit de la famille

16 (1) Sont constitués deux comités de règlement parallèle des différends, l'un chargé du règlement des instances civiles et l'autre de celui des instances en droit de la famille. Ces comités se composent de membres de l'association d'avocats du district d'Algoma qui se portent volontaires et sont disposés à offrir leurs services ou de toute autre personne dont sont convenues les parties.

Fonctions des membres des comités

(2) Les membres des comités entendent les questions en litige que les parties leur demandent de trancher conformément aux paragraphes (3) et (4), et émettent des avis sur ces questions.

Possibilité pour les parties de convenir d'un autre mode de règlement du différend

(3) Les parties à une instance peuvent convenir en tout temps qu'en plus de toute autre forme de conférence préparatoire au procès, toute question en litige faisant l'objet de l'instance soit examinée par un ou deux membres d'un comité de règlement des différends.

Recommandation

(4) Le membre ou les deux membres du comité approprié dont sont convenues les parties entendent les questions en litige et font une recommandation aux parties en vue de les résoudre.

Parties non liées par la recommandation

(5) La recommandation d'un membre d'un comité ne lie pas les parties, sauf si elles en ont convenu d'avance.

Non-divulgation au tribunal

(6) Sauf du consentement des parties et des membres du comité, aucune communication touchant toute déclaration faite lors d'une audience aux fins d'un règlement parallèle du différend ne doit être faite au juge ou à l'officier de justice qui préside l'audition de l'instance, ou d'une motion ou d'un renvoi dans l'instance. Règl. de l'Ont. 442/90, règle 16.

TITRE ABRÉGÉ

17 Le titre abrégé des présentes règles est Règles de gestion des causes civiles d'Algoma.

ABROGATION

18 Les présentes règles sont abrogées le 7 septembre 1992.

CASE INFORMATION STATEMENT (Form 1) Amended ( ) File No. .....

Date: .....

Plaintiff(s)	Defendant(s) .....
.....	.....
.....	.....
.....	.....
.....	.....
Solicitor's name	Solicitor's name
.....	.....
.....	.....
Telephone No. ( ) -	Telephone No. ( ) -

TRACK: Expedited T1 ..... Standard T2 ..... Complex T3 .....

Briefly explain why expedited or complex .....

.....

.....

Category of Case (check as many as apply)

Torts:		Contracts:		Other:		Family:	
Motor vehicle	.....	Real property	.....	Bankruptcy	.....	Divorce	.....
Professional malpractice	.....	Construction lien	.....	Landlord/tenant	.....	Property	.....
Other negligence	.....	Collection	.....	Breach of trust	.....	Support	.....
Other tort	.....	Wrongful dismissal	.....	Estates	.....	Custody	.....
		Other breach of contract	.....	Other	.....	Variation	.....
						Other	.....

Completion times:	T1	T2	T3	Due dates
1. File statement of claim with proof of service	40	40	40	.....
2. File statement of defence with proof of service	30	60	60	.....
3. Set pre-trial date after statement of defence filed	30	30	*	.....
4. When ready for pre-trial after defence filed?	30/60	30/120	*	.....
5. When ready for trial?				

ALTERNATIVE DISPUTE MECHANISM
Is A.D.R. requested? ..... (Do A.D.R. request form)

IS THIS A JURY CASE? .....

CASE MANAGEMENT JUDGE

EXPOSÉ INFORMATIF DE CAUSE (Formule 1) Modifié ( ) Dossier nº .....

Date : .....

Demandeur(s)	Défendeur(s) .....
.....	.....
.....	.....
.....	.....
.....	.....
Nom du procureur	Nom du procureur
.....	.....
.....	.....
Nº de téléphone ( ) -	Nº de téléphone ( ) -

VOIE : Accélérée V1 ..... Ordinaire V2 ..... Causes complexes V3 .....

Expliquer brièvement pourquoi la voie accélérée ou la voie des causes complexes a été choisie : .....

.....

.....

Catégorie de cause (cocher toute catégorie applicable) :

Délits civils :	Contrats :	Autre :	Famille :
Véhicule automobile	Biens immeubles	Faillite	Divorce .....
Négligence professionnelle	Privilège dans l'industrie de la construction	Propriétaire/ locataire	Biens .....
Autre négligence	Recouvrement	Abus de confiance	Aliments .....
Autre délit	Congédiement injustifié	Successions	Garde d'enfants .....
	Autre inexécution de contrat	Autre	Modification d'ordonnance .....
			Autre .....

Délais d'exécution :	V1	V2	V3	Échéances
1. Dépôt de la déclaration avec une preuve de sa signification	40	40	40	.....
2. Dépôt de la défense avec une preuve de sa signification	30	60	60	.....
3. Fixation de la date de la conférence préparatoire au procès après le dépôt de la défense	30	30	*	.....
4. Date où la conférence préparatoire sera en état après le dépôt de la défense	30/ 60	30/ 120	*	.....
5. Date où le procès sera en état				.....

MÉCANISME DE RÈGLEMENT PARALLÈLE DES DIFFÉRENDS

Un règlement parallèle du différend est-il demandé? ..... (Remplir la formule de demande de règlement parallèle du différend)

S'AGIT-IL D'UNE CAUSE DEVANT JURY? .....

JUGE RESPONSABLE DE LA GESTION DES CAUSES

RESPONSE OF DEFENDANT TO THE CASE INFORMATION STATEMENT

Name of defendant .....

Name of solicitor .....

I disagree with the following information, track selection or completion times given by the plaintiff on the case information statement on the reverse and ask that it be amended as shown: *(Give full details of matters in dispute, including track preferred.)*

Is a case conference requested? .....

I consent to the defendant's amendment.

.....
solicitor for the plaintiff

DISPOSITION OF CASE MANAGEMENT JUDGE:

O. Reg. 442/90, Form 1.

RÉPONSE DU DÉFENDEUR À L'EXPOSÉ INFORMATIF DE CAUSE

Nom du défendeur : .....

Nom du procureur : .....

Je ne suis pas d'accord avec les renseignements fournis, la voie choisie ou les délais d'exécution donnés par le demandeur dans l'exposé informatif de cause figurant au recto et je demande qu'il soit modifié tel qu'indiqué : *(Donner tous les détails sur les questions en litige, y compris la voie préférée.)*

Une étude de cause en groupe est-elle demandée? .....

Je consens à la modification proposée par le défendeur.

.....
procureur du demandeur

DÉCISION DU JUGE RESPONSABLE DE LA GESTION DES CAUSES :

Règl. de l'Ont. 442/90, formule 1.

REGULATION 188

DUTIES OF CLERKS AND BAILIFFS OF THE SMALL CLAIMS COURT

1. In this Regulation,

"bailiff" means a bailiff of the Small Claims Court;

"clerk" means a clerk of the Small Claims Court. O. Reg. 796/84, s. 1, *revised.*

2.—(1) A clerk shall maintain,

(a) a procedure book with an alphabetical index of entries;

(b) a cash book;

(c) a foreign procedure book; and

(d) a consolidation order book with an alphabetical index of entries.

(2) A clerk shall make an entry of all claims, defences, third party claims, motions, notices, orders, judgments, warrants and enforcement process and the returns made to them in the procedure book.

(3) A clerk shall promptly remit all money received in payment of judgments to the persons entitled and shall not retain any such money for more than two months. O. Reg. 796/84, s. 2.

3. A bailiff shall maintain a record of all claims, writs, warrants and other process which are directed to the bailiff for service or enforcement. O. Reg. 796/84, s. 3.

4.—(1) A clerk shall on or before the 31st day of January in every year make a return under oath to the Deputy Attorney General or the Deputy's designee showing the aggregate amount of fees, charges and emoluments that the clerk became entitled to receive during the immediately preceding calendar year.

(2) Subsection (1) applies to a bailiff with necessary modifications.

(3) A clerk or bailiff who owes an amount to the Crown in respect of a calendar year shall pay the amount on or before the 31st day of March in the next following calendar year. O. Reg. 796/84, s. 4.

REGULATION 189

ESSEX CIVIL CASE MANAGEMENT RULES

TABLE OF CONTENTS

Rule 1 Scope
Rule 2 Rules of Civil Procedure
Rule 3 Interpretation
Rule 4 Definitions
Rule 5 Case information statement and case management order
Rule 6 Fast track
Rule 7 Standard track
Rule 8 Family track
Rule 9 Fast lien track
Rule 10 Complex track
Rule 11 Transfers from one track to another
Rule 12 Counterclaims, crossclaims and third party claims
Rule 13 Family variation applications
Rule 14 Actions commenced before January 1, 1985
Rule 15 Actions commenced on or after January 1, 1985 and before September 4, 1990
Rule 16 Short title
Rule 17 Revocation
Form 1 Case information statement
Form 2 Case management order (fast track)
Form 3 Case management order (standard track)
Form 4 Case management order (family track)
Form 5 Case management order (fast lien track)
Form 6 Case management order (complex track)
Form 7 Case management order (family variation track)

SCOPE

1.—(1) These rules apply to proceedings commenced in the County of Essex.

RÈGLEMENT 189

RÈGLES DE GESTION DES CAUSES CIVILES D'ESSEX

TABLE DES MATIÈRES

Règle 1 Champ d'application
Règle 2 Règles de procédure civile
Règle 3 Interprétation
Règle 4 Définitions
Règle 5 Exposé informatif de cause et ordonnance de gestion de la cause
Règle 6 Voie accélérée
Règle 7 Voie ordinaire
Règle 8 Voie des causes en droit de la famille
Règle 9 Voie accélérée des causes relatives aux privilèges
Règle 10 Voie des causes complexes
Règle 11 Transfert de causes d'une voie à une autre
Règle 12 Demandes reconventionnelles, demandes entre défendeurs et mises en cause
Règle 13 Requêtes en modification d'ordonnances en droit de la famille
Règle 14 Actions introduites avant le 1er janvier 1985
Règle 15 Actions introduites le 1er janvier 1985 ou à une date ultérieure et avant le 4 septembre 1990
Règle 16 Titre abrégé
Règle 17 Abrogation
Formule 1 Exposé informatif de cause
Formule 2 Ordonnance de gestion de la cause (voie accélérée)
Formule 3 Ordonnance de gestion de la cause (voie ordinaire)
Formule 4 Ordonnance de gestion de la cause (voie des causes en droit de la famille)
Formule 5 Ordonnance de gestion de la cause (voie accélérée des causes relatives aux privilèges)
Formule 6 Ordonnance de gestion de la cause (voie des causes complexes)
Formule 7 Ordonnance de gestion de la cause (voie des requêtes en modification d'ordonnances en droit de la famille)

CHAMP D'APPLICATION

1 (1) Les présentes règles s'appliquent aux instances introduites dans le comté d'Essex.

Exception, applications

(2) Except as provided in subrule 13 (1) (family variation track), these rules do not apply to applications, even if they are to be treated as actions under subrule 38.10 (2) or (3) of the Rules of Civil Procedure. O. Reg. 443/90, r. 1.

RULES OF CIVIL PROCEDURE

2. The Rules of Civil Procedure also apply to proceedings to which these rules apply, but these rules prevail in the event of conflict. O. Reg. 443/90, r. 2.

INTERPRETATION

3.—(1) These rules shall be liberally interpreted to secure the just, most expeditious and least expensive determination, on the merits, of proceedings to which they apply.

Matters not provided for

(2) If matters are not provided for in these rules, the practice shall be determined by analogy to them.

Dispensing with compliance

(3) The court may dispense with compliance with any provision of these rules if it is just and necessary to do so. O. Reg. 443/90, r. 3.

DEFINITIONS

4. In these rules,

"Day 1" means the day on which a proceeding is commenced; ("jour premier")

"defendant" includes the respondent in a divorce action; ("défendeur")

"plaintiff" includes the petitioner in a divorce action. ("demandeur") O. Reg. 443/90, r. 4.

ACTIONS COMMENCED ON OR AFTER SEPTEMBER 4, 1990

CASE INFORMATION STATEMENT

5.—(1) When a divorce petition, statement of claim or notice of action is issued on or after the 4th day of September, 1990, the plaintiff shall file a case information statement (Form 1) selecting,

(a) the family track, in the case of an action under the *Divorce Act* (Canada), the *Family Law Act* or the *Children's Law Reform Act*, an action respecting a domestic contract, or an action in constructive trust between spouses or persons who have cohabited;

(b) the fast lien track, in the case of a construction lien action; or

(c) the fast track or the standard track, in the case of any other action.

Exception : requêtes

(2) Sauf disposition contraire du paragraphe 13 (1) (voie des requêtes en modification d'ordonnances en droit de la famille), les présentes règles ne s'appliquent pas aux requêtes, même si celles-ci doivent être considérées comme des actions aux termes du paragraphe 38.10 (2) ou (3) des Règles de procédure civile. Règl. de l'Ont. 443/90, règle 1.

RÈGLES DE PROCÉDURE CIVILE

2 Les Règles de procédure civile s'appliquent également aux instances auxquelles s'appliquent les présentes règles. Toutefois, en cas d'incompatibilité, les présentes règles l'emportent. Règl. de l'Ont. 443/90, règle 2.

INTERPRÉTATION

3 (1) Les présentes règles doivent recevoir une interprétation large afin de garantir la résolution équitable sur le fond, de la façon la plus expéditive et la moins onéreuse, des instances auxquelles elles s'appliquent.

Silence des règles

(2) En cas de silence des présentes règles, la pratique applicable est déterminée par analogie avec celles-ci.

Dispense d'observation

(3) Le tribunal peut dispenser les parties de l'observation d'une disposition des présentes règles s'il estime cela juste et nécessaire. Règl. de l'Ont. 443/90, règle 3.

DÉFINITIONS

4 Les définitions qui suivent s'appliquent aux présentes règles.

«défendeur» S'entend en outre de l'intimé dans une action en divorce. («defendant»)

«demandeur» S'entend en outre du requérant dans une action en divorce. («plaintiff»)

«jour premier» Le jour auquel une instance est introduite. («Day 1») Règl. de l'Ont. 443/90, règle 4.

ACTIONS INTRODUITES LE 4 SEPTEMBRE 1990 OU À UNE DATE ULTÉRIEURE

EXPOSÉ INFORMATIF DE CAUSE

5 (1) Lorsqu'une requête en divorce, une déclaration ou un avis d'action est délivré le 4 septembre 1990 ou à une date ultérieure, le demandeur dépose un exposé informatif de cause (formule 1) indiquant son choix entre :

a) la voie des causes en droit de la famille, dans le cas d'une action intentée aux termes de la *Loi sur le divorce* (Canada), de la *Loi sur le droit de la famille* ou de la *Loi portant réforme du droit de l'enfance*, d'une action relative à un contrat familial ou d'une action en fiducie induite des faits entre des conjoints ou des personnes qui ont cohabité;

b) la voie accélérée des causes relatives aux privilèges, dans le cas d'une action sur un privilège dans l'industrie de la construction;

c) la voie accélérée ou la voie ordinaire, dans le cas de toute autre action.

Case management order

(2) When the plaintiff files the case information statement, the court shall make a case management order in Form 2 (fast track), Form 3 (standard track), Form 4 (family track) or Form 5 (fast lien track). O. Reg. 443/90, r. 5.

FAST TRACK

6. The following provisions apply to an action on the fast track:

Statement of claim

1. The plaintiff shall serve the statement of claim, together with the plaintiff's affidavit of documents, the case information statement and the case management order, within thirty days after Day 1, and file them with proof of service within forty days after Day 1. Copies of the documents referred to in Schedule A of the plaintiff's affidavit of documents shall be served with the statement of claim and other documents, but shall not be filed.

Default

2. If the plaintiff does not comply with paragraph 1 and remains in default on the forty-fifth day after Day 1, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Statement of defence

3. The defendant shall serve the statement of defence, together with the defendant's affidavit of documents, within thirty days after the date of service of the statement of claim, and shall file them with proof of service within forty days after that date. Copies of the documents referred to in Schedule A of the defendant's affidavit of documents shall be served with the statement of defence and affidavit of documents, but shall not be filed.

Default

4. On the forty-fifth day after the date of service of the statement of claim, the registrar shall note in default a defendant who has not yet complied with paragraph 3.

Service outside Ontario

5. If the defendant is served with the statement of claim outside Ontario, the periods for serving and filing the statement of defence are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the other time periods applicable to the action shall be adjusted accordingly.

Notice of action, notice of intent to defend

6. The time periods applicable to the action are not extended if a notice of action or notice of intent to defend is used.

Ordonnance de gestion de la cause

(2) Lorsque le demandeur dépose l'exposé informatif de cause, le tribunal rend une ordonnance de gestion de la cause selon la formule 2 (voie accélérée), la formule 3 (voie ordinaire), la formule 4 (voie des causes en droit de la famille) ou la formule 5 (voie accélérée des causes relatives aux privilèges). Règl. de l'Ont. 443/90, règle 5.

VOIE ACCÉLÉRÉE

6 Les dispositions suivantes s'appliquent aux actions placées dans la voie accélérée :

Déclaration

1. Le demandeur signifie la déclaration, ainsi que son affidavit de documents, l'exposé informatif de cause et l'ordonnance de gestion de la cause, dans les trente jours suivant le jour premier, et les dépose avec une preuve de leur signification dans les quarante jours suivant le jour premier. Des copies des documents visés à l'annexe A de l'affidavit de documents du demandeur sont signifiées avec la déclaration et les autres documents; cependant, elles ne doivent pas être déposées.

Défaut

2. Si le demandeur ne se conforme pas à la disposition 1 et est toujours en défaut le quarante-cinquième jour suivant le jour premier, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Défense

3. Le défendeur signifie la défense, ainsi que son affidavit de documents, dans les trente jours suivant la date de signification de la déclaration, et les dépose avec une preuve de leur signification dans les quarante jours suivant cette date. Des copies des documents visés à l'annexe A de l'affidavit de documents du défendeur sont signifiées avec la défense et l'affidavit de documents; cependant, elles ne doivent pas être déposées.

Défaut

4. Le quarante-cinquième jour suivant la date de signification de la déclaration, le greffier constate le défaut de tout défendeur qui ne s'est pas encore conformé à la disposition 3.

Signification en dehors de l'Ontario

5. Si la déclaration est signifiée au défendeur en dehors de l'Ontario, les délais impartis pour signifier et déposer la défense sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et les autres délais applicables à l'action sont rajustés en conséquence.

Avis d'action, avis d'intention de présenter une défense

6. Les délais applicables à l'action ne sont pas prorogés dans le cas d'une recours à un avis d'action ou à un avis d'intention de présenter une défense.

Reply

7. The reply, if any, shall be delivered within ten days after delivery of the statement of defence. No reply shall be delivered after that time without leave of the court.

Leave for motions

8. No motion may be made without leave, except a motion referred to in paragraph 11 (examinations for discovery) or subrule 11 (2) (timely transfers).

Refusal of leave

9. If leave for a motion is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 10, immediately and regardless of the outcome of the proceeding.

Costs

10. When a party is required to pay costs under paragraph 9, every opposing party who is separately represented by counsel is entitled to costs in the amount of $200. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Examinations for discovery

11. No party may conduct examinations for discovery lasting more than three hours in total without leave. The motion for leave may itself be made without leave.

Notices of readiness

12. It is not necessary to serve notices of readiness for trial.

Listing for trial

13. The plaintiff shall serve and file the record and list the action for trial within forty-five days after the close of pleadings, failing which the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Date and time of pre-trial conference, fast track list

14. As soon as the action is listed for trial, the registrar shall place it on the fast track list, fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs. The date fixed for filing pre-trial conference briefs shall be at least fourteen days before the day fixed for the pre-trial conference.

Réponse

7. La réponse, le cas échéant, est remise dans les dix jours de la remise de la défense. Aucune réponse ne peut être remise passé ce délai sans autorisation du tribunal.

Autorisation de présenter des motions

8. Aucune motion ne peut être présentée sans autorisation, sauf s'il s'agit d'une motion visée à la disposition 11 (interrogatoires préalables) ou au paragraphe 11 (2) (transfert de causes en temps opportun).

Refus d'autorisation

9. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 10, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

10. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 9, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 200 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Interrogatoires préalables

11. Nulle partie ne peut mener des interrogatoires préalables d'une durée de plus de trois heures sans autorisation. La motion en vue d'obtenir l'autorisation peut être présentée sans autorisation.

Avis de mise en état

12. Il n'est pas nécessaire de signifier les avis de mise en état.

Inscription pour instruction

13. Le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les quarante-cinq jours suivant la clôture de la procédure écrite, faute de quoi le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Date et heure de la conférence préparatoire au procès, rôle de la voie accélérée

14. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie accélérée, fixe les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès. La date de dépôt des mémoires relatifs à la conférence préparatoire au procès précède d'au moins quatorze jours le jour fixé pour la tenue de la conférence.

Failure to file pre-trial conference brief

15. If a party does not file a pre-trial conference brief by the date fixed by the registrar, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 16, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Costs

16. When a party is required to pay costs under paragraph 15, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

No further examinations for discovery without leave

17. After the date fixed for the pre-trial conference, no party may examine for discovery without leave.

Pre-trial conference

18. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Trial date

19. At the pre-trial conference, the judge shall fix a trial date.

Trial

20. The trial shall begin within six months after Day 1. O. Reg. 443/90, r. 6.

STANDARD TRACK

7. The following provisions apply to an action on the standard track:

Statement of claim

1. The plaintiff shall serve the statement of claim, together with the case information statement and the case management order, within thirty days after Day 1, and file them with proof of service within forty days after Day 1.

Default

2. If the plaintiff does not comply with paragraph 1 and remains in default on the forty-fifth day after Day 1, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Statement of defence

3. The defendant shall serve the statement of defence within thirty days after the date of service of the statement of claim and shall file it with proof of service within forty days after that date.

Défaut de déposer un mémoire relatif à la conférence préparatoire au procès

15. Si une partie ne dépose pas son mémoire relatif à la conférence préparatoire au procès au plus tard à la date fixée par le greffier, ce dernier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 16, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Dépens

16. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 15, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Aucun autre interrogatoire préalable possible sans autorisation

17. Passé la date fixée pour la tenue de la conférence préparatoire au procès, nulle partie ne peut procéder à un interrogatoire préalable sans autorisation.

Conférence préparatoire au procès

18. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Date du procès

19. Lors de la conférence préparatoire au procès, le juge fixe la date du procès.

Procès

20. Le procès débute dans les six mois suivant le jour premier. Règl. de l'Ont. 443/90, règle 6.

VOIE ORDINAIRE

7 Les dispositions suivantes s'appliquent aux actions placées dans la voie ordinaire :

Déclaration

1. Le demandeur signifie la déclaration, ainsi que l'exposé informatif de cause et l'ordonnance de gestion de la cause, dans les trente jours suivant le jour premier, et les dépose avec une preuve de leur signification dans les quarante jours suivant le jour premier.

Défaut

2. Si le demandeur ne se conforme pas à la disposition 1 et est toujours en défaut le quarante-cinquième jour suivant le jour premier, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Défense

3. Le défendeur signifie la défense dans les trente jours suivant la date de signification de la déclaration, et le dépose avec une preuve de sa signification dans les quarante jours suivant cette date.

Default

4. On the forty-fifth day after the date of service of the statement of claim, the registrar shall note in default a defendant who has not yet complied with paragraph 3.

Service outside Ontario

5. If the defendant is served with the statement of claim outside Ontario, the periods for serving and filing the statement of defence are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the other time periods applicable to the action shall be adjusted accordingly.

Notice of action, notice of intent to defend

6. The time periods applicable to the action are not extended if a notice of action or notice of intent to defend is used.

Reply

7. The reply, if any, shall be delivered within ten days after delivery of the statement of defence. No reply shall be delivered after that time without leave of the court.

Notices of readiness

8. It is not necessary to serve notices of readiness for trial.

Listing for trial

9. The plaintiff shall serve and file the record and list the action for trial within seventy-five days after the close of pleadings, failing which the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Date and time of pre-trial conference, standard track list

10. As soon as the action is listed for trial, the registrar shall place it on the standard track list, fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs. The date fixed for the pre-trial conference shall be at least eight months after the day the action is listed for trial (unless an earlier date is available and the parties consent), and the date fixed for filing pre-trial conference briefs shall be at least thirty days before the day fixed for the pre-trial conference.

Failure to file pre-trial conference brief

11. If a party does not file a pre-trial conference brief by the date fixed by the registrar, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 12, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Défaut

4. Le quarante-cinquième jour suivant la date de signification de la déclaration, le greffier constate le défaut de tout défendeur qui ne s'est pas encore conformé à la disposition 3.

Signification en dehors de l'Ontario

5. Si la déclaration est signifiée au défendeur en dehors de l'Ontario, les délais impartis pour signifier et déposer la défense sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et les autres délais applicables à l'action sont rajustés en conséquence.

Avis d'action, avis d'intention de présenter une défense

6. Les délais applicables à l'action ne sont pas prorogés dans le cas d'un recours à un avis d'action ou à un avis d'intention de présenter une défense.

Réponse

7. La réponse, le cas échéant, est remise dans les dix jours de la remise de la défense. Aucune réponse ne peut être remise passé ce délai sans autorisation du tribunal.

Avis de mise en état

8. Il n'est pas nécessaire de signifier les avis de mise en état.

Inscription pour instruction

9. Le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les soixante-quinze jours suivant la signification de l'avis suivant la clôture de la procédure écrite, faute de quoi le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Date et heure de la conférence préparatoire au procès, rôle de la voie ordinaire

10. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie ordinaire, fixe les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès. La date fixée pour la tenue de la conférence suit d'au moins huit mois le jour où l'action est inscrite pour instruction (à moins qu'une date plus rapprochée ne soit possible et que les parties n'y consentent), et la date de dépôt des mémoires relatifs à la conférence préparatoire au procès précède d'au moins trente jours le jour fixé pour la tenue de celle-ci.

Défaut de déposer un mémoire relatif à la conférence préparatoire au procès

11. Si une partie ne dépose pas son mémoire relatif à la conférence préparatoire au procès au plus tard à la date fixée par le greffier, ce dernier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 12, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Costs

12. When a party is required to pay costs under paragraph 11, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

No further examinations for discovery or motions without leave

13. After the date fixed for the pre-trial conference, no party may examine for discovery or make a motion without leave.

Refusal of leave

14. If leave for a motion requiring leave is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 15, immediately and regardless of the outcome of the proceeding.

Costs

15. When a party is required to pay costs under paragraph 14, every opposing party who is separately represented by counsel is entitled to costs in the amount of $200. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Pre-trial conference

16. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Trial date

17. At the pre-trial conference, the judge shall fix a trial date, which shall be at least thirty days after the pre-trial conference.

Trial

18. The trial shall begin within eighteen months after Day 1. O. Reg. 443/90, r. 7.

FAMILY TRACK

8. The following provisions apply to an action on the family track:

Date of management conference

1. At the time of making the case management order, the court shall fix a date for a management conference, to take place at least ninety days but not more than 120 days after Day 1.

Petition or statement of claim

2. The plaintiff shall serve the petition or statement of claim, together with the financial statement if required, the case information statement and the case management order, within thirty days after Day 1, and file them with proof of service within forty days after Day 1.

Dépens

12. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 11, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Aucun autre interrogatoire préalable ou motion possible sans autorisation

13. Passé la date fixée pour la tenue de la conférence préparatoire au procès, nulle partie ne peut procéder à un interrogatoire préalable ni présenter une motion sans autorisation.

Refus d'autorisation

14. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 15, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

15. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 14, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 200 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence préparatoire au procès

16. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Date du procès

17. Lors de la conférence préparatoire au procès, le juge fixe la date du procès, qui suit d'au moins trente jours la conférence préparatoire au procès.

Procès

18. Le procès débute dans les dix-huit mois suivant le jour premier. Règl. de l'Ont. 443/90, règle 7.

VOIE DES CAUSES EN DROIT DE LA FAMILLE

8 Les dispositions suivantes s'appliquent aux actions placées dans la voie des causes en droit de la famille :

Date de la conférence de gestion

1. Au moment où il rend l'ordonnance de gestion de la cause, le tribunal fixe une date pour la tenue de la conférence de gestion, laquelle doit suivre d'au moins quatre-vingt-dix jours et d'au plus 120 jours le jour premier.

Requête en divorce ou déclaration

2. Le demandeur signifie la requête en divorce ou la déclaration, ainsi que l'état financier s'il est requis, l'exposé informatif de cause et l'ordonnance de gestion de la cause dans les trente jours suivant le jour premier, et les dépose avec une preuve de leur signification dans les quarante jours suivant le jour premier.

Default

3. If the plaintiff does not comply with paragraph 2 and remains in default on the forty-fifth day after Day 1, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Answer or statement of defence

4. The defendant shall serve the answer or statement of defence, together with the financial statement if required, within thirty days after the date of service of the petition or statement of claim, and shall file them with proof of service within forty days after that date.

Default

5. On the forty-fifth day after the date of service of the petition or statement of claim, the registrar shall note in default a defendant who has not yet complied with paragraph 4.

Service outside Ontario

6. If the defendant is served with the petition or statement of claim outside Ontario, the periods for serving and filing the answer or statement of defence are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the other time periods applicable to the action shall be adjusted accordingly.

Notice of action, notice of intent to defend

7. The time periods applicable to the action are not extended if a notice of action or notice of intent to defend is used.

Reply

8. The reply, if any, shall be delivered within twenty days after delivery of the answer or statement of defence. No reply shall be delivered after that time without leave of the court.

Notices of readiness

9. It is not necessary to serve notices of readiness for trial.

Listing for trial

10. The plaintiff shall serve and file the record and list the action for trial within forty-five days after the close of pleadings, failing which the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Family track

11. As soon as the action is listed for trial, the registrar shall place it on the family track list.

Défaut

3. Si le demandeur ne se conforme pas à la disposition 2 et est toujours en défaut le quarante-cinquième jour suivant le jour premier, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Défense à la requête en divorce ou défense

4. Le défendeur signifie la défense à la requête en divorce ou la défense, ainsi que l'état financier s'il est requis, dans les trente jours suivant la date de signification de la requête en divorce ou de la déclaration, et les dépose avec une preuve de leur signification dans les quarante jours suivant cette date.

Défaut

5. Le quarante-cinquième jour suivant la date de signification de la requête en divorce ou de la déclaration, le greffier constate le défaut de tout défendeur qui ne s'est pas encore conformé à la disposition 4.

Signification en dehors de l'Ontario

6. Si la requête en divorce ou la déclaration est signifiée au défendeur en dehors de l'Ontario, les délais impartis pour signifier et déposer la défense à la requête en divorce ou la défense sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et les autres délais applicables à l'action sont rajustés en conséquence.

Avis d'action, avis d'intention de présenter une défense

7. Les délais applicables à l'action ne sont pas prorogés dans le cas d'un recours à un avis d'action ou à un avis d'intention de présenter une défense.

Réponse

8. La réponse, le cas échéant, est remise dans les vingt jours de la remise de la défense à la requête en divorce ou de la défense. Aucune réponse ne peut être remise passé ce délai sans autorisation du tribunal.

Avis de mise en état

9. Il n'est pas nécessaire de signifier les avis de mise en état.

Inscription pour instruction

10. Le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les quarante-cinq jours suivant la clôture de la procédure écrite, faute de quoi le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Voie des causes en droit de la famille

11. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie des causes en droit de la famille.

Rescheduling management conference

12. The court may, on a party's motion, reschedule the management conference for an earlier date. The motion does not require supporting written material and may be heard by means of a conference telephone call.

Documents for management conference

13. At least seven days before the date of the management conference, every party shall serve on every other party and file with proof of service a one-page summary of the issues in the action, a net family property statement, if required, with copies of documents substantiating the calculations, and a list of documents still to be obtained.

Failure to file documents

14. If a party does not file the documents within the prescribed time period, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 15, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Costs

15. When a party is required to pay costs under paragraph 14, 18 or 20, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Management conference

16. All parties, as well as counsel, shall attend the management conference, unless an order excusing a party is made before the date fixed for the management conference.

17. A judge, a master or a person designated by the regional senior judge shall preside at the management conference, shall discuss with the parties the possibility of settlement and may give all necessary directions, including a direction for the immediate trial of an issue.

Failure to comply with direction

18. If a party fails to comply with a direction given at the management conference, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 15, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Date and time of pre-trial conference

19. At the management conference, the person presiding shall also fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs. The date fixed for filing pre-trial conference briefs shall be at least thirty days before the date fixed for the pre-trial conference.

Changement de la date de la conférence de gestion

12. Le tribunal peut, sur la motion d'une partie, avancer la date de la conférence de gestion. Il n'est pas nécessaire que la motion soit appuyée par des documents écrits, et son audition peut se faire par conférence téléphonique.

Documents destinés à la conférence de gestion

13. Au moins sept jours avant la date de la conférence de gestion, chaque partie signifie à chacune des autres et dépose, avec une preuve de signification, un résumé d'une page des questions en litige qui font l'objet de l'action, un état des biens familiaux nets si elle est requise, accompagnée des copies des documents à l'appui des calculs, et une liste des documents qui doivent toujours être obtenus.

Défaut de déposer des documents

14. Si une partie ne dépose pas les documents dans le délai prescrit, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 15, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Dépens

15. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 14, 18 ou 20, chaque partie adverse qui est représentées séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence de gestion

16. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence de gestion, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence de gestion.

17. Un juge, un protonotaire ou une personne désignée par le juge principal régional préside la conférence de gestion, discute avec les parties de la possibilité d'une transaction et peut donner toutes les directives nécessaires, y compris une directive prescrivant l'instruction immédiate d'une question en litige.

Inobservation d'une directive

18. Si une partie n'observe pas une directive donnée à la conférence de gestion, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 15, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Date et heure de la conférence préparatoire au procès

19. Lors de la conférence de gestion, la personne qui préside fixe également les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès. La date de dépôt des mémoires relatifs à la conférence préparatoire au procès précède d'au moins trente jours la date fixée pour la tenue de celle-ci.

Failure to file pre-trial conference brief

20. If a party does not file a pre-trial conference brief by the date fixed under paragraph 19, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 15, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

No further examinations for discovery or motions without leave

21. After the date fixed for the pre-trial conference, no party may examine for discovery or make a motion without leave.

Refusal of leave

22. If leave for a motion requiring leave is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 23, immediately and regardless of the outcome of the proceeding.

Costs

23. When a party is required to pay costs under paragraph 22, every opposing party who is separately represented by counsel is entitled to costs in the amount of $200. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Pre-trial conference

24. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Who shall preside

25. The person who presided at the management conference shall also preside at the pre-trial conference.

Trial date

26. At the pre-trial conference, the person presiding shall fix a trial date, which shall be at least thirty days after the pre-trial conference.

Trial

27. The trial shall begin within one year of Day 1. O. Reg. 443/90, r. 8.

FAST LIEN TRACK

Definition

9.—(1) In this rule, "Act" means the *Construction Lien Act.*

Special provisions

(2) The following provisions apply to an action on the fast lien track:

Défaut de déposer un mémoire relatif à la conférence préparatoire au procès

20. Si une partie ne dépose pas son mémoire relatif à la conférence préparatoire au procès au plus tard à la date fixée aux termes de la disposition 19, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 15, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Aucun autre interrogatoire préalable ou motion possible sans autorisation

21. Passé la date fixée pour la tenue de la conférence préparatoire au procès, nulle partie ne peut procéder à un interrogatoire préalable ni présenter une motion sans autorisation.

Refus d'autorisation

22. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 23, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

23. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 22, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 200 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence préparatoire au procès

24. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Présidence

25. La personne qui a présidé la conférence de gestion préside également la conférence préparatoire au procès.

Date du procès

26. Lors de la conférence préparatoire au procès, la personne qui préside fixe la date du procès, qui suit d'au moins trente jours la conférence préparatoire au procès.

Procès

27. Le procès débute dans un délai d'un an suivant le jour premier. Règl. de l'Ont. 443/90, règle 8.

VOIE ACCÉLÉRÉE DES CAUSES RELATIVES AUX PRIVILÈGES

Définition

9 (1) Dans la présente règle, «Loi» s'entend de la *Loi sur le privilège dans l'industrie de la construction.*

Dispositions spéciales

(2) Les dispositions suivantes s'appliquent aux actions placées dans la voie accélérée des causes relatives aux privilèges :

Statement of claim

1. The plaintiff shall serve the statement of claim, together with the plaintiff's affidavit of documents, the case information statement and the case management order, within ninety days after Day 1, in accordance with subsection 53 (2) of the Act, and shall file them with proof of service within 100 days after Day 1. The documents referred to in Schedule A of the plaintiff's affidavit of documents shall include the claim for lien (as registered, if the lien attaches to the premises) and affidavit of verification, and shall be served with the statement of claim and other documents, but shall not be filed.

Default

2. If the plaintiff does not comply with paragraph 1 and remains in default on the 105th day after Day 1, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence. However, unless the court orders otherwise, the registration of the claim for lien and of any certificate of action in respect of the lien shall not be vacated until ten days have elapsed after the order of dismissal is served on the plaintiff.

Statement of defence

3. The defendant shall deliver the statement of defence, together with the defendant's affidavit of documents, within twenty days after the date of service of the statement of claim, in accordance with subsection 54 (1) of the Act. Copies of the documents referred to in Schedule A of the defendant's affidavit of documents shall be served with the statement of defence and affidavit of documents, but shall not be filed.

Default

4. On the twenty-fifth day after the date of service of the statement of claim, the registrar shall note in default a defendant who has not yet complied with paragraph 3.

Motion for judgment

5. The plaintiff shall move for judgment within sixty days after the defendant is noted in default. Affidavit evidence may be received at the hearing of the motion.

Default

6. If the plaintiff does not comply with paragraph 5, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action. However, unless the court orders otherwise, the registration of the claim for lien and of any certificate of action in respect of the lien shall not be vacated until ten days have elapsed after the order of dismissal is served on the plaintiff.

Service outside Ontario

7. If the defendant is served with the statement of claim outside Ontario, the periods for serving and filing the statement of defence are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the other time periods applicable to the action shall be adjusted accordingly.

Déclaration

1. Le demandeur signifie la déclaration, ainsi que son affidavit de documents, l'exposé informatif de cause et l'ordonnance de gestion de la cause, dans les quatre-vingt-dix jours suivant le jour premier, conformément au paragraphe 53 (2) de la Loi, et les dépose avec une preuve de leur signification dans les 100 jours suivant le jour premier. Les documents visés à l'annexe A de l'affidavit de documents du demandeur comprennent l'avis de privilège (tel qu'il est enregistré, si le privilège grève le local) et une attestation, et sont signifiés avec la déclaration et les autres documents; cependant, ils ne doivent pas être déposés.

Défaut

2. Si le demandeur ne se conforme pas à la disposition 1 et est toujours en défaut le 105e jour suivant le jour premier, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur. Cependant, sauf ordonnance contraire du tribunal, l'enregistrement de l'avis de privilège et de tout certificat d'action à l'égard du privilège ne peut être annulé avant que dix jours ne se soient écoulés après la signification de l'ordonnance de rejet au demandeur.

Défense

3. Le défendeur remet la défense, ainsi que son affidavit de documents, dans les vingt jours suivant la date de signification de la déclaration, conformément au paragraphe 54 (1) de la Loi. Des copies des documents visés à l'annexe A de l'affidavit de documents du défendeur sont signifiées avec la défense et l'affidavit de documents; cependant, elles ne doivent pas être déposées.

Défaut

4. Le vingt-cinquième jour suivant la date de signification de la déclaration, le greffier constate le défaut de tout défendeur qui ne s'est pas encore conformé à la disposition 3.

Motion en vue d'obtenir un jugement

5. Le demandeur demande par voie de motion un jugement dans les soixante jours suivant la constatation du défaut du défendeur. Les affidavits sont recevables en preuve lors de l'audition de la motion.

Défaut

6. Si le demandeur ne se conforme pas à la disposition 5, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action. Cependant, sauf ordonnance contraire du tribunal, l'enregistrement de l'avis de privilège et de tout certificat d'action à l'égard du privilège ne peut être résilié avant que dix jours ne se soient écoulés après la signification de l'ordonnance de rejet au demandeur.

Signification en dehors de l'Ontario

7. Si la déclaration est signifiée au défendeur en dehors de l'Ontario, les délais impartis pour signifier et déposer la défense sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et les autres délais applicables à l'action sont rajustés en conséquence.

Notice of action, notice of intent to defend

8. The time periods applicable to the action are not extended if a notice of action or notice of intent to defend is used.

Reply

9. The reply, if any, shall be delivered within ten days after delivery of the statement of defence. No reply shall be delivered after that time without leave of the court.

Settlement meeting obligatory

10. A settlement meeting shall be held in accordance with section 61 of the Act on a day chosen by the plaintiff, at least thirty days but no more than fifty days after the date of service of the statement of claim. It is not necessary to obtain an order for the holding of the meeting under subsection 60 (1) of the Act.

Notice

11. The plaintiff shall serve notice of the settlement meeting in accordance with subsection 60 (2) of the Act and shall file proof of service within ten days after service. A copy of the case management order shall be served with the notice of the settlement meeting.

Date for hearing of motion

12. When proof of service of the notice of settlement meeting is filed, the registrar shall fix a date that is at least fifteen days but no more than sixty days after the date of the settlement meeting, for the hearing of a motion before a judge for the purposes set out in subsection 63 (5) of the Act. The registrar shall notify the plaintiff of the date and the plaintiff shall serve the notice of motion in accordance with subsection 62 (2) of the Act and shall file proof of service.

Statement of settlement

13. If the settlement meeting does not result in a complete settlement of the action, the statement of settlement referred to in subsection 63 (3) of the Act shall, in addition to summarizing any issues of fact and law that have been settled by the parties, contain:

    i. the names of the lien claimants,

    ii. if entitlement to a lien or perfection or preservation of a lien are in question, a summary of the relevant issues,

    iii. a statement of the priorities of the lien claimants and encumbrancers or, if there is no agreement as to priorities, a summary of the relevant issues,

    iv. a summary of any other issues of fact and law to be determined at trial,

    v. a statement identifying the documents agreed on for filing at trial and, if the admissibility or authenticity of a document is in question, a summary of the relevant issues,

    vi. if the amount of the plaintiff's claim is in question, a summary of the relevant issues,

Avis d'action, avis d'intention de présenter une défense

8. Les délais applicables à l'action ne sont pas prorogés dans le cas d'un recours à un avis d'action ou à un avis d'intention de présenter une défense.

Réponse

9. La réponse, le cas échéant, est remise dans les dix jours de la remise de la défense. Aucune réponse ne peut être remise passé ce délai sans autorisation du tribunal.

Réunion en vue d'une transaction obligatoire

10. Une réunion en vue d'une transaction se tient conformément à l'article 61 de la Loi le jour choisi par le demandeur, qui suit d'au moins trente jours et d'au plus cinquante jours la date de signification de la déclaration. Il n'est pas nécessaire d'obtenir une ordonnance pour la tenue de la réunion aux termes du paragraphe 60 (1) de la Loi.

Avis

11. Le demandeur signifie un avis de la réunion en vue d'une transaction conformément au paragraphe 60 (2) de la Loi et dépose une preuve de sa signification dans les dix jours suivant la signification. Une copie de l'ordonnance de gestion de la cause est signifiée avec l'avis de la réunion en vue d'une transaction.

Date d'audition de la motion

12. Lorsqu'une preuve de la signification d'un avis de réunion en vue d'une transaction est déposée, le greffier fixe une date d'audition de la motion devant un juge aux fins énoncées au paragraphe 63 (5) de la Loi, laquelle date suit d'au moins quinze jours et d'au plus soixante jours la date de la réunion en vue d'une transaction. Le greffier avise le demandeur de cette date et ce dernier signifie l'avis de motion conformément au paragraphe 62 (2) de la Loi et dépose une preuve de sa signification.

Constat de transaction

13. Si la réunion en vue d'une transaction n'aboutit pas à une transaction exhaustive de l'action, le constat de transaction visé au paragraphe 63 (3) de la Loi, en plus de résumer les questions de fait et de droit sur lesquelles les parties ont transigé, indique tout ce qui suit :

    i. les noms des créanciers privilégiés,

    ii. un résumé des questions en litige pertinentes, si le droit à un privilège ou l'opposabilité ou la conservation d'un privilège sont en cause,

    iii. une déclaration de l'ordre de priorité des créanciers privilégiés et des bénéficiaires de sûretés ou, en l'absence d'entente sur l'ordre de priorité, un résumé des questions en litige pertinentes,

    iv. un résumé des autres questions de fait et de droit devant être tranchées au procès,

    v. une déclaration précisant les documents dont il a été convenu qu'ils seraient déposés au procès et, si la recevabilité ou l'authenticité d'un document est en cause, un résumé des questions en litige pertinentes,

    vi. un résumé des questions en litige pertinentes, si le montant demandé par le demandeur est en cause,

vii. if evidence is to be presented at trial, a list of witnesses to be called,

viii. an estimate of the time that will be required for trial of the action or consolidated actions,

ix. if there is more than one action respecting the same land, an agreement as to which plaintiff shall have carriage of the consolidated actions, and

x. a statement indicating that all parties have signed the statement of settlement or, if that is not the case, indicating which parties have done so and the other parties' reasons for not signing.

Filing of statement of settlement

14. The party who conducted the settlement meeting shall file the statement of settlement within ten days after the settlement meeting.

Powers of court at hearing of motion

15. At the hearing of the motion referred to in paragraph 12, the court may exercise the powers set out in subsection 61 (5) of the Act and may,

i. if there is more than one action respecting the same land, consolidate the actions and give carriage of the consolidated action in accordance with the statement of settlement,

ii. fix a date, which shall be at least ninety days but not more than 120 days after the hearing of the motion, for the trial of the action or any issue in the action,

iii. if the only outstanding issue is the amount of the plaintiff's claim, give judgment and direct a reference to a judge or master to take accounts and report on that issue,

iv. direct that the plaintiff having carriage of the action file before the trial date a copy of an abstract of title and sheriff's certificate (in the case of premises subject to the *Registry Act*) or of a certificate of title (in the case of premises subject to the *Land Titles Act*), dated no more than ten days before the trial date or, if the lien does not attach to the premises, a statement by the owner showing the identity of persons with preserved or perfected liens against the premises,

v. direct that examinations for discovery be held in respect of any contested issues set out in the statement of settlement, and

vi. direct that a brief of the documents referred to in the statement of settlement be filed at least fifteen days before the trial date.

Exception, no parties entitled to notice of settlement meeting

16. If there are no parties who are entitled to notice of a settlement meeting under subsection 60 (2) of the Act, the plaintiff, upon filing an affidavit to that effect with the registrar, may move immediately for summary judgment without holding a settlement meeting or making the motion referred to in paragraph 12.

vii. une liste des personnes devant être appelées à témoigner au procès, si des preuves doivent être présentées au procès,

viii. une estimation du temps qui sera nécessaire à l'instruction de l'action ou des actions réunies,

ix. une entente établissant le demandeur qui est chargé de la conduite des actions réunies, si plus d'une action se rapporte au même bien-fonds,

x. une déclaration indiquant que toutes les parties ont signé le constat de transaction ou, dans le cas contraire, indiquant quelles parties ont signé, ainsi que les motifs de celles qui ont refusé de signer.

Dépôt du constat de transaction

14. La partie qui a dirigé la réunion en vue d'une transaction dépose le constat de transaction dans les dix jours suivant la réunion.

Pouvoirs du tribunal lors de l'audition de la motion

15. Lors de l'audition de la motion visée à la disposition 12, le tribunal peut exercer les pouvoirs énoncés au paragraphe 61 (5) de la Loi et peut faire également tout ce qui suit :

i. si plus d'une action se rapporte au même bien-fonds, réunir les actions et confier la responsabilité de la conduite de l'action issue de la réunion, conformément au constat de transaction,

ii. fixer une date, qui doit suivre d'au moins quatre-vingt-dix jours et d'au plus 120 jours l'audition de la motion, pour l'instruction de l'action ou de toute question en litige faisant l'objet de l'action,

iii. si la seule question en litige qui subsiste est celle du montant demandé par le demandeur, rendre un jugement et ordonner un renvoi à un juge ou à un protonotaire pour la reddition des comptes et la présentation d'un rapport sur cette question,

iv. ordonner que le demandeur chargé de la conduite de l'action dépose avant la date du procès une copie d'un relevé d'actes et d'un certificat du shérif (dans le cas d'un local assujetti à la *Loi sur l'enregistrement des actes)* ou d'un certificat de titre (dans le cas d'un local assujetti à la *Loi sur l'enregistrement des droits immobiliers)*, dont la date ne doit pas précéder de plus de dix jours la date du procès ou, si le privilège ne grève pas le local, une déclaration du propriétaire indiquant l'identité des titulaires d'un privilège conservé ou rendu opposable qui grève le local,

v. ordonner que des interrogatoires préalables aient lieu sur toute question contestée qui est énoncée dans le constat de transaction,

vi. ordonner qu'un mémoire des documents visés dans le constat de transaction soit déposé au moins quinze jours avant la date du procès.

Exception : cas où nulle partie n'a le droit de recevoir un avis de la réunion en vue d'une transaction

16. Si nulle partie n'a le droit de recevoir un avis de la réunion en vue d'une transaction aux termes du paragraphe 60 (2) de la Loi, le demandeur peut, en déposant un affidavit à cet effet auprès du greffier, demander immédiatement, par voie de motion, un jugement sommaire sans tenir de réunion en vue d'une transaction ni présenter la motion visée à la disposition 12.

Refusal of leave for motion

17. If leave for a motion requiring leave is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 18, immediately and regardless of the outcome of the proceeding.

Costs

18. When a party is required to pay costs under paragraph 17 or 26, every opposing party who is separately represented by counsel is entitled to costs in the amount of $100. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Examinations for discovery

19. No party may conduct examinations for discovery lasting more than three hours in total without leave. The motion for leave may itself be made without leave.

Notices of readiness

20. It is not necessary to serve notices of readiness for trial.

Record

21. The trial record shall contain a copy of the statement of settlement and of the order made under paragraph 15.

Notice of trial

22. The plaintiff having carriage of the action shall serve a notice in accordance with subsection 60 (4) of the Act.

Listing for trial

23. The plaintiff shall serve and file the record and list the action for trial within forty-five days after the close of pleadings, failing which the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Fast lien track

24. As soon as the action is listed for trial, the registrar shall place it on the fast lien track list.

Trial

25. The trial shall begin within ten months after Day 1.

General penalty for lateness

26. If a party who is required by this rule to take a step within a specific time fails to do so and no other penalty is provided for the default, the registrar shall (except in the case of a defendant against whom pleadings have been noted closed) immediately send the party a notice requiring the party to appear before the court and request an extension of time. If the court grants the extension, the party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 18, immediately and regardless of the outcome of the proceeding. If the party fails to appear or if the court refuses the extension, the action shall be dismissed or the party's pleadings struck out, as the case may be. O. Reg. 443/90, r. 9.

Refus d'autorisation de présenter une motion

17. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 18, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

18. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 17 ou 26, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 100 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Interrogatoires préalables

19. Nulle partie ne peut mener des interrogatoires préalables d'une durée de plus de trois heures sans autorisation. La motion en vue d'obtenir l'autorisation peut être présentée sans autorisation.

Avis de mise en état

20. Il n'est pas nécessaire de signifier les avis de mise en état.

Dossier d'instruction

21. Le dossier d'instruction comprend une copie du constat de transaction et de l'ordonnance prévue à la disposition 15.

Avis de procès

22. Le demandeur chargé de la conduite de l'action signifie un avis conformément au paragraphe 60 (4) de la Loi.

Inscription pour instruction

23. Le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les quarante-cinq jours suivant la clôture de la procédure écrite, faute de quoi le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Voie accélérée des causes relatives aux privilèges

24. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie accélérée des causes relatives aux privilèges.

Procès

25. Le procès débute dans les dix mois suivant le jour premier.

Pénalité en cas de retard

26. Si une partie qui est tenue par la présente règle de prendre une mesure dans un délai précis omet de le faire et qu'aucune autre pénalité n'est prévue pour cette omission, le greffier envoie (sauf dans le cas d'un défendeur contre lequel la clôture de la procédure a été constatée) immédiatement à la partie un avis exigeant qu'elle comparaisse devant le tribunal pour demander une prorogation de délai. Si le tribunal accorde la prorogation, la partie paie un montant à titre de dépens déterminé conformément à la disposition 18, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal. Si la partie ne comparaît pas ou si le tribunal refuse la prorogation, l'action est rejetée ou les actes de procédure de la partie sont radiés, selon le cas. Règl. de l'Ont. 443/90, règle 9.

COMPLEX TRACK

10.—(1) An action may be placed on the complex track only by means of a transfer under subrule 11 (4).

(2) The following provisions apply to an action on the complex track:

Case management judge

1. A case management judge shall be assigned to the action, to monitor its progress and to make any orders and give any directions that are necessary.

Motions

2. The case management judge shall hear all motions in the action unless he or she is unavailable and the court gives a party leave to make a motion to another judge.

Refusal of leave for motion

3. If leave for a motion requiring leave is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 4, immediately and regardless of the outcome of the proceeding.

Costs

4. When a party is required to pay costs under paragraph 3, every opposing party who is separately represented by counsel is entitled to costs in the amount of $100 (in the case of a construction lien action) or $200 (in any other case). Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in the relevant amount.

Status hearing in lien action

5. In the case of a construction lien action, if the action is not set down for trial within eighteen months after Day 1, the case management judge shall hold an informal status hearing.

Complex track list

6. As soon as the action is listed for trial, the registrar shall place it on the complex track list.

Date and time of pre-trial conference

7. The case management judge shall fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs.

Pre-trial conference

8. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Trial date

9. The case management judge shall preside at the pre-trial conference and shall at that time fix a trial date, which shall be at least sixty days after the pre-trial conference.

VOIE DES CAUSES COMPLEXES

10 (1) Une action ne peut être placée dans la voie des causes complexes que par voie de transfert en vertu du paragraphe 11 (4).

(2) Les dispositions suivantes s'appliquent aux actions placées dans la voie des causes complexes :

Juge responsable de la gestion des causes

1. Un juge responsable de la gestion des causes est affecté à l'action pour en contrôler le déroulement et pour rendre toute ordonnance et donner toute directive nécessaires.

Motions

2. Le juge responsable de la gestion des causes entend toutes les motions qui sont présentées dans l'action à moins qu'il ne soit pas disponible et que le tribunal n'autorise la partie à présenter une motion devant un autre juge.

Refus d'autorisation de présenter une motion

3. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 4, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

4. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 3, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 100 $ à titre de dépens (dans le cas d'une action sur un privilège dans l'industrie de la construction) ou de 200 $ (dans tous les autres cas). Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement au montant approprié à titre de dépens.

Audience sur l'état de l'instance dans une action sur un privilège dans l'industrie de la construction

5. Dans le cas d'une action sur un privilège dans l'industrie de la construction, si l'action n'est pas inscrite pour instruction dans les dix-huit mois suivant le jour premier, le juge responsable de la gestion des causes tient une audience informelle sur l'état de l'instance.

Rôle de la voie des causes complexes

6. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie des causes complexes.

Date et heure de la conférence préparatoire au procès

7. Le juge responsable de la gestion des causes fixe les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès.

Conférence préparatoire au procès

8. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Date du procès

9. Le juge responsable de la gestion des causes préside la conférence préparatoire au procès et, à cette occasion, fixe la date du procès, qui suit d'au moins soixante jours la conférence préparatoire au procès.

Additional pre-trial conference

10. After the completion of the pre-trial conference, any party may, on requisition, have an additional pre-trial conference conducted by a different judge. Further pre-trial conferences require an order of the court.

Trial

11. The trial shall begin within three years of Day 1. O. Reg. 443/90, r. 10.

TRANSFERS FROM ONE TRACK TO ANOTHER

Transfers between fast and standard tracks

11.—(1) The court may transfer an action from the fast track to the standard track or from the standard track to the fast track on a party's motion, made with leave after the close of pleadings.

Timely transfers from fast to standard track

(2) Leave is not required for a motion to transfer an action from the fast track to the standard track if notice of the motion is given within ten days after the close of pleadings.

Transfers from family to fast track

(3) The court may transfer an action from the family track to the fast track on a party's motion, made with leave after the close of pleadings.

Transfers to complex track

(4) An action may be placed on the complex track only by a transfer from the fast track, the standard track, the family track or the fast lien track ordered, on a party's motion, by a judge designated by the regional senior judge.

(5) The motion may be made at the hearing of the motion referred to in paragraph 12 of subrule 9 (2) (in the case of a construction lien action) or after the close of pleadings (in any other case).

(6) The motion does not require leave or supporting written material and may be heard by means of a conference telephone call.

Form of order for transfer to complex track

(7) The order transferring the action to the complex track shall be a case management order in Form 6 (complex track).

Transfers from complex track

(8) The case management judge assigned to an action on the complex track may at any time, on a party's motion or on his or her own initiative, transfer the action to the standard track, the fast track, the family track or the fast lien track.

Nouvelle conférence préparatoire au procès

10. Au terme de la conférence préparatoire au procès, une partie peut, sur réquisition, obtenir qu'une nouvelle conférence préparatoire au procès soit menée par un juge différent. La tenue d'autres conférences préparatoires au procès requiert une ordonnance du tribunal.

Procès

11. Le procès débute dans les trois ans suivant le jour premier. Règl. de l'Ont. 443/90, règle 10.

TRANSFERT DE CAUSES D'UNE VOIE À UNE AUTRE

Transfert de causes entre la voie accélérée et la voie ordinaire

11 (1) Le tribunal peut transférer une action de la voie accélérée à la voie ordinaire ou de la voie ordinaire à la voie accélérée, sur la motion d'une partie présentée sur autorisation après la clôture de la procédure écrite.

Transfert en temps opportun de causes de la voie accélérée à la voie ordinaire

(2) Une autorisation n'est pas requise pour une motion visant à obtenir le transfert d'une action de la voie accélérée à la voie ordinaire si l'avis de motion est donné dans les dix jours suivant la clôture de la procédure écrite.

Transfert de causes de la voie des causes en droit de la famille à la voie accélérée

(3) Le tribunal peut transférer une action de la voie des causes en droit de la famille à la voie accélérée, sur la motion d'une partie présentée sur autorisation après la clôture de la procédure écrite.

Transfert de causes à la voie des causes complexes

(4) Une action ne peut être placée dans la voie des causes complexes que si son transfert de la voie accélérée, de la voie ordinaire, de la voie des causes en droit de la famille ou de la voie accélérée des causes relatives aux privilèges a été ordonné par un juge désigné par le juge principal régional, sur la motion d'une partie.

(5) La motion peut être présentée au moment de l'audition de la motion visée à la disposition 12 du paragraphe 9 (2) (dans le cas d'une action sur un privilège dans l'industrie de la construction) ou après la clôture de la procédure écrite (dans tous les autres cas).

(6) Il n'est pas nécessaire que la motion soit présentée sur autorisation ni qu'elle soit appuyée par des documents écrits, et son audition peut se faire par conférence téléphonique.

Formule d'ordonnance en vue d'obtenir le transfert de causes à la voie des causes complexes

(7) L'ordonnance qui transfère l'action à la voie des causes complexes est une ordonnance de gestion de la cause rédigée selon la formule 6 (voie des causes complexes).

Transfert de causes de la voie des causes complexes

(8) Le juge responsable de la gestion des causes affecté à une action placée dans la voie des causes complexes peut, en tout temps, sur la motion d'une partie ou de son propre chef, transférer l'action à la voie ordinaire, à la voie accélérée, à la voie des causes en droit de la famille ou à la voie accélérée des causes relatives aux privilèges.

Content of order for transfer other than to complex track

(9) An order transferring an action from one track to another, other than an order transferring it to the complex track, shall be a case management order reciting the appropriate provisions of rule 6 (fast track), rule 7 (standard track), rule 8 (family track) or rule 9 (fast lien track), as the case may be, directions being given and time limits being modified as may be necessary. O. Reg. 443/90, r. 11.

COUNTERCLAIMS, CROSSCLAIMS AND THIRD PARTY CLAIMS

Track for counterclaims, crossclaims and third party claims

12.—(1) A counterclaim, crossclaim or third party claim shall be on the same track as the main action and, except for the delivery of pleadings, shall follow the same timetable.

Postponement of pre-trial conference and trial in main action

(2) If a counterclaim is made against a person who is not already a party to the main action or, if there is a third party claim, the pre-trial conference and trial in the main action shall be postponed in order that they may be held at the same time as the pre-trial conference and trial in the counterclaim or third party claim, unless the court orders otherwise.

Defence of main action by third party

(3) A third party who defends in the main action may do so within the time periods for defending the third party claim. O. Reg. 443/90, r. 12.

FAMILY VARIATION APPLICATIONS MADE ON OR AFTER SEPTEMBER 4, 1990

Scope

13.—(1) This rule applies to applications made on or after the 4th day of September, 1990 for variation of final orders or judgments for support, custody or access.

Material to be filed

(2) When a notice of application is issued, the applicant shall file any supporting material relevant to the determination of the application.

Date for hearing

(3) When the notice of application is issued, a hearing date, which shall be at least forty-five days and not more than sixty days after Day 1, shall be obtained from the registrar.

(4) If the respondent is to be served with the notice of application outside Ontario, the hearing date shall be at least sixty-five days and not more than eighty days after Day 1 (in the case of service elsewhere in Canada or in the United States) or at least eighty-five days and not more than 100 days after Day 1 (in the case of service anywhere else).

Case management order

(5) When the notice of application is issued, the court shall make a case management order in Form 7 (family variation track).

Teneur de l'ordonnance qui transfère une cause à une autre voie que celle des causes complexes

(9) Une ordonnance qui transfère une action d'une voie à une autre, à l'exclusion d'une ordonnance qui la transfère à la voie des causes complexes, est une ordonnance de gestion de la cause énonçant les dispositions appropriées de la règle 6 (voie accélérée), 7 (voie ordinaire), 8 (voie des causes en droit de la famille) ou 9 (voie accélérée des causes relatives aux privilèges), selon le cas, les directives étant données et les délais étant modifiés au besoin. Règl. de l'Ont. 443/90, règle 11.

DEMANDES RECONVENTIONNELLES, DEMANDES ENTRE DÉFENDEURS ET MISES EN CAUSE

Voie des demandes reconventionnelles, des demandes entre défendeurs et des mises en cause

12 (1) Une demande reconventionnelle, une demande entre défendeurs ou une mise en cause sont placées dans la même voie que l'action principale et, sauf pour ce qui est de la remise des actes de procédure, sont soumises au même calendrier.

Report de la conférence préparatoire au procès et du procès relatifs à l'action principale

(2) Si une demande reconventionnelle est présentée contre une personne qui n'est pas déjà partie à l'action principale, ou s'il y a mise en cause, la conférence préparatoire au procès et le procès relatifs à l'action principale sont reportés à plus tard afin qu'ils puissent avoir lieu en même temps que la conférence préparatoire au procès et le procès relatifs à la demande reconventionnelle ou à la mise en cause, sauf ordonnance contraire du tribunal.

Contestation de l'action principale par un tiers mis en cause

(3) Un tiers mis en cause qui veut présenter une contestation relative à l'action principale peut le faire dans les délais impartis pour contester la mise en cause. Règl. de l'Ont. 443/90, règle 12.

REQUÊTES EN MODIFICATION D'ORDONNANCES EN DROIT DE LA FAMILLE PRÉSENTÉES LE 4 SEPTEMBRE 1990 OU À UNE DATE ULTÉRIEURE

Champ d'application

13 (1) La présente règle s'applique aux requêtes en modification d'ordonnances définitives ou de jugements définitifs accordant des aliments, la garde d'enfants ou un droit de visite, présentées le 4 septembre 1990 ou à une date ultérieure.

Dépôt de documents

(2) Lorsqu'un avis de requête est délivré, le requérant dépose tout document justificatif pertinent à la décision sur la requête.

Date d'audience

(3) Lorsque l'avis de requête est délivré, une date d'audience, qui suit d'au moins quarante-cinq jours et d'au plus soixante jours le jour premier, est obtenue du greffier.

(4) Si l'avis de requête doit être signifié à l'intimé en dehors de l'Ontario, la date d'audience suit d'au moins soixante-cinq jours et d'au plus quatre-vingts jours le jour premier (si la signification est faite ailleurs au Canada ou aux États-Unis) ou suit d'au moins quatre-vingt-cinq jours et d'au plus 100 jours le jour premier (si la signification est faite n'importe où ailleurs).

Ordonnance de gestion de la cause

(5) Lorsque l'avis de requête est délivré, le tribunal rend une ordonnance de gestion de la cause en recourant à la formule 7 (voie des requêtes en modification d'ordonnances en droit de la famille).

Special provisions

(6) The following provisions apply to an application on the family variation track:

Notice of application

1. The applicant shall serve the notice of application, together with the case management order, the financial statement, if required, and all other documents to be used at the hearing in support of the application, within ten days after Day 1, and file them with proof of service within seventeen days after Day 1.

Notice of appearance

2. The respondent shall serve the notice of appearance, affidavit in opposition to the application and all other required documents within ten days after the date of service of the notice of application and shall file them with proof of service within fifteen days after that date. After that time, the respondent may file the documents only with leave.

Service outside Ontario

3. If the respondent is served with the notice of application outside Ontario, the periods for serving and filing the notice of appearance are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the time for the hearing of the application shall be adjusted accordingly.

Documents for settlement conference

4. Before the hearing date set out in the notice of application, every party shall file a one-page summary of the issues and a copy of the documents supporting the party's financial statement, if any.

Failure to file documents

5. If a party does not file the summary and supporting documents by the hearing date, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 6, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Costs

6. When a party is required to pay costs under paragraph 5 or 11, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

No examinations, cross-examinations or motions without leave before settlement conference

7. Before the hearing date, no party may examine, cross-examine or make a motion without leave.

Settlement conference

8. On the hearing date set out in the notice of application, there shall be a settlement conference presided over by a judge, a master or a person designated by the regional senior judge.

Dispositions spéciales

(6) Les dispositions suivantes s'appliquent aux requêtes placées dans la voie des requêtes en modification d'ordonnances en droit de la famille :

Avis de requête

1. Le requérant signifie l'avis de requête, ainsi que l'ordonnance de gestion de la cause, l'état financier, s'il est requis, et tous les autres documents devant être utilisés à l'audience à l'appui de la requête, dans les dix jours suivant le jour premier, et les dépose avec une preuve de leur signification dans les dix-sept jours suivant le jour premier.

Avis de comparution

2. L'intimé signifie l'avis de comparution, l'affidavit contestant la requête et tous les autres documents requis dans les dix jours suivant la date de signification de l'avis de requête, et les dépose avec une preuve de leur signification dans les quinze jours suivant cette date. Passé ce délai, l'intimé ne peut déposer les documents que sur autorisation.

Signification en dehors de l'Ontario

3. Si l'avis de requête est signifié à l'intimé en dehors de l'Ontario, les délais impartis pour signifier et déposer l'avis de comparution sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et la date d'audition de la requête est rajustée en conséquence.

Documents destinés à la conférence en vue d'une transaction

4. Avant la date d'audience indiquée dans l'avis de requête, chaque partie dépose un résumé d'une page des questions en litige et, éventuellement, une copie des documents à l'appui de son état financier.

Défaut de déposer des documents

5. Si une partie ne dépose pas de résumé ni de documents justificatifs au plus tard à la date d'audience, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 6, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Dépens

6. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 5 ou 11, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Autorisation requise pour les interrogatoires, contre-interrogatoires ou motions avant la conférence en vue d'une transaction

7. Avant la date d'audience, nulle partie ne peut procéder à un interrogatoire ou à un contre-interrogatoire ni présenter une motion sans autorisation.

Conférence en vue d'une transaction

8. À la date d'audience indiquée dans l'avis de requête, il doit se tenir une conférence en vue d'une transaction présidée par un juge, un protonotaire ou une personne désignée par le juge principal régional.

9. All parties, as well as counsel, shall attend the settlement conference, unless an order excusing a party is made before the hearing date.

Date and time of pre-trial conference

10. If no settlement is achieved at the settlement conference, the person presiding shall fix the date and time for a pre-trial conference (if he or she is of the opinion that a pre-trial conference is necessary), a date for the hearing of the application on the merits and a date after which no party may examine, cross-examine or make motions without leave. The person presiding may give all necessary directions, including a direction for the immediate trial of an issue.

Failure to comply with direction

11. If a party fails to comply with a direction given at the settlement conference, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 6, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

No further examinations, cross-examinations or motions without leave

12. After the relevant date fixed under paragraph 10, a party may examine, cross-examine or make motions only with the leave of the person who presided over the settlement conference.

Refusal of leave

13. If leave for a motion requiring leave is refused, the moving party shall, unless the person who presided orders otherwise, pay costs in an amount determined in accordance with paragraph 14, immediately and regardless of the outcome of the proceeding.

Costs

14. When a party is required to pay costs under paragraph 13, every opposing party who is separately represented by counsel is entitled to costs in the amount of $200. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Pre-trial conference

15. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Who shall preside

16. The person who presided at the settlement conference shall also preside at the pre-trial conference, if any, but not at the hearing of the application.

Hearing on the merits

17. The hearing of the application shall begin within six months of Day 1. O. Reg. 443/90, r. 13.

9. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence en vue d'une transaction, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date d'audience.

Date et heure de la conférence préparatoire au procès

10. Si aucune transaction n'est atteinte au cours de la conférence prévue à cette fin, la personne qui préside fixe les date et heure de la conférence préparatoire au procès (s'il est d'avis qu'une conférence préparatoire au procès est nécessaire), une date d'audition de la requête sur le fond, ainsi qu'une date après laquelle nulle partie ne peut procéder à un interrogatoire ou à un contre-interrogatoire ni présenter des motions sans autorisation. La personne qui préside peut donner toutes les directives nécessaires, y compris une directive prescrivant l'instruction immédiate d'une question en litige.

Inobservation d'une directive

11. Si une partie n'observe pas une directive donnée lors de la conférence en vue d'une transaction, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 6, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Aucun autre interrogatoire, contre-interrogatoire ou aucune motion possible sans autorisation

12. Passé la date pertinente, fixée aux termes de la disposition 10, une partie ne peut procéder à un interrogatoire ou à un contre-interrogatoire ou présenter des motions que sur autorisation de la personne qui a présidé la conférence en vue d'une transaction.

Refus d'autorisation

13. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 14, immédiatement et indépendamment de l'issue de l'instance, à moins que la personne qui a présidé n'en ordonne autrement.

Dépens

14. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 13, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 200 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence préparatoire au procès

15. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Présidence

16. La personne qui a présidé la conférence en vue d'une transaction préside également la conférence préparatoire au procès, le cas échéant, mais non l'audition de la requête.

Audition de la requête sur le fond

17. L'audition de la requête débute dans les six mois suivant le jour premier. Règl. de l'Ont. 443/90, règle 13.

EXISTING ACTIONS

ACTIONS COMMENCED BEFORE JANUARY 1, 1985

14. The following provisions apply to an action commenced before the 1st day of January, 1985:

Notices of readiness

1. It is not necessary to serve notices of readiness for trial.

Case management judge, list

2. As soon as the action is listed for trial, a case management judge shall be assigned to it and the registrar shall place it on a list of actions commenced before the 1st day of January, 1985.

Date and time of pre-trial conference

3. The case management judge shall fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs.

Failure to file pre-trial conference brief

4. If a party does not file a pre-trial conference brief by the date fixed by the judge, the registrar shall, unless the case management judge orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 5, immediately and regardless of the outcome of the proceedings, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Costs

5. When a party is required to pay costs under paragraph 4, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Pre-trial conference

6. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference. The motion for such an order does not require supporting written material and may be heard by means of a conference telephone call.

7. At the pre-trial conference, the presiding judge may give any necessary directions and may fix a trial date.

Special ready list

8. If the judge presiding at the pre-trial conference does not fix a trial date, the action shall be placed on a ready list reserved for actions commenced before the 1st day of January, 1985. After one month has expired from the date of the pre-trial conference, the action may be called for trial at any time, without notice. O. Reg. 443/90, r. 14.

ACTIONS DÉJÀ EN COURS

ACTIONS INTRODUITES AVANT LE 1er JANVIER 1985

14 Les dispositions suivantes s'appliquent aux actions introduites avant le 1er janvier 1985 :

Avis de mise en état

1. Il n'est pas nécessaire de signifier les avis de mise en état.

Juge responsable de la gestion des causes, rôle

2. Dès que l'action est inscrite pour instruction, un juge responsable de la gestion des causes y est affecté et le greffier inscrit l'action au rôle des actions introduites avant le 1er janvier 1985.

Date et heure de la conférence préparatoire au procès

3. Le juge responsable de la gestion des causes fixe les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès.

Défaut de déposer un mémoire relatif à la conférence préparatoire au procès

4. Si une partie ne dépose pas son mémoire relatif à la conférence préparatoire au procès au plus tard à la date fixée par le juge, le greffier, à moins que le juge responsable de la gestion des causes n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 5, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Dépens

5. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 4, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence préparatoire au procès

6. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence. Il n'est pas nécessaire que la motion visant à obtenir une telle ordonnance soit appuyée par des documents écrits, et son audition peut se faire par conférence téléphonique.

7. Lors de la conférence préparatoire au procès, le juge qui préside peut donner toute directive nécessaire et fixer la date du procès.

Rôle spécial prioritaire

8. Si le juge qui préside la conférence préparatoire au procès ne fixe pas la date du procès, l'action est inscrite à un rôle prioritaire, réservé aux actions introduites avant le 1er janvier 1985. Une fois écoulé un mois après la date de la conférence préparatoire au procès, l'instruction de l'action peut être ordonnée à n'importe quel moment, sans préavis. Règl. de l'Ont. 443/90, règle 14.

ACTIONS COMMENCED ON OR AFTER JANUARY 1, 1985 AND BEFORE SEPTEMBER 4, 1990

15. The following provisions apply to an action commenced on or after the 1st day of January, 1985 and before the 4th day of September, 1990:

Notices of readiness

1. It is not necessary to serve notices of readiness for trial.

Listing for trial

2. If the action was commenced on or before the 31st day of December, 1989, the plaintiff shall serve and file the record and list the action for trial within thirty days of the close of pleadings or on or before the 5th day of November, 1990, whichever is later.

3. If the action was commenced after the 31st day of December, 1989 and before the 4th day of September, 1990, the plaintiff shall serve and file the record and list the action for trial on or before the 31st day of December, 1990.

Default

4. If the plaintiff does not comply with paragraph 2 or 3, as the case may be, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the plaintiff does not cure the default within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Appropriate list

5. As soon as the action is listed for trial, the registrar shall place it on the standard track list, the family track list or the fast lien track list, or on the complex track list if a judge designated by the regional senior judge so orders on a party's motion. The motion does not require leave or supporting written material and may be heard by means of a conference telephone call.

Date and time of case management conference

6. The registrar shall also fix a date and time for a case management conference and may order that the conference be held by means of a conference telephone call.

Case management conference

7. The judge presiding at the case management conference shall fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs.

Action continues on appropriate track

8. Paragraphs 10 to 17 of rule 7 (standard track), paragraphs 19 to 26 of rule 8 (family track), paragraph 10 of rule 9 (fast lien track) or paragraphs 1 to 10 of subrule 10 (2) (complex track), as the case may be, apply to the action with necessary modifications. O. Reg. 443/90, r. 15.

SHORT TITLE

16. These rules may be cited as the Essex Civil Case Management Rules.

ACTIONS INTRODUITES LE 1er JANVIER 1985 OU À UNE DATE ULTÉRIEURE ET AVANT LE 4 SEPTEMBRE 1990

15 Les dispositions suivantes s'appliquent aux actions introduites à compter du 1er janvier 1985 et avant le 4 septembre 1990 :

Avis de mise en état

1. Il n'est pas nécessaire de signifier les avis de mise en état.

Inscription pour instruction

2. Si l'action a été introduite au plus tard le 31 décembre 1989, le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les trente jours de la clôture de la procédure écrite ou au plus tard le 5 novembre 1990, selon la date qui est la plus éloignée.

3. Si l'action a été introduite après le 31 décembre 1989 et avant le 4 septembre 1990, le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction au plus tard le 31 décembre 1990.

Défaut

4. Si le demandeur ne se conforme pas à la disposition 2 ou 3, selon le cas, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée si le demandeur ne remédie pas au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Inscription au rôle approprié

5. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie ordinaire, au rôle de la voie des causes en droit de la famille ou au rôle de la voie accélérée des causes relatives aux privilèges, ou encore au rôle de la voie des causes complexes si un juge désigné par le juge principal régional l'ordonne, sur la motion d'une partie. Il n'est pas nécessaire que la motion soit présentée sur autorisation ni qu'elle soit appuyée par des documents écrits, et son audition peut se faire par conférence téléphonique.

Date et heure de l'étude de cause en groupe

6. Le greffier fixe également les date et heure pour la tenue d'une étude de cause en groupe, et peut ordonner que cette étude se fasse par conférence téléphonique.

Étude de cause en groupe

7. Le juge qui préside l'étude de cause en groupe fixe les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès.

Poursuite de l'action suivant la voie appropriée

8. Les dispositions 10 à 17 de la règle 7 (voie ordinaire), les dispositions 19 à 26 de la règle 8 (voie des causes en droit de la famille), la disposition 10 de la règle 9 (voie accélérée des causes relatives aux privilèges) ou les dispositions 1 à 10 du paragraphe 10 (2) (voie des causes complexes), selon le cas, s'appliquent à l'action avec les adaptations nécessaires. Règl. de l'Ont. 443/90, règle 15.

TITRE ABRÉGÉ

16 Le titre abrégé des présentes règles est Règles de gestion des causes civiles d'Essex.

REVOCATION

17. These rules are revoked on the 7th day of September, 1992.

ABROGATION

17 Les présentes règles sont abrogées le 7 septembre 1992.

FORM 1

CASE INFORMATION STATEMENT

(This space for court personnel only)

Ontario Court (General Division)
County of Essex

File number .....

Date originating process issued ....., 199.....

Plaintiff(s) *(insert name(s))*

Solicitor *(insert name, address, telephone number, fax number and firm name)*

Defendant(s) *(insert name(s))*

Solicitor *(same information as for plaintiff's solicitor, if known)*

Category of case *(check as many as apply)*:

TORTS	CONTRACTS	FAMILY	OTHER
Motor vehicle	Real property	Divorce	Bankruptcy
Other negligence	Construction lien	Property	Landlord/tenant
Professional malpractice	Collection	Support	Breach of trust
	Wrongful dismissal	Custody	Estates
	Other breach of contract	Other	Other

Track selected *(check one)*:

Fast

Standard

Family

Fast lien

Proposed pre-trial conference date ....., 199.....

Proposed trial date ....., 199.....

Is this a jury case? Yes..... No.....

Other information:

Date .....

.....
Signature of plaintiff's solicitor

O. Reg. 443/90, Form 1.

FORMULE 1

EXPOSÉ INFORMATIF DE CAUSE

(Espace réservé au personnel judiciaire)

Cour de l'Ontario (Division générale) Numéro de dossier : .....
Comté d'Essex

Date de délivrance de l'acte introductif d'instance : ..... 199.....

Demandeur(s) : *(inscrire le/les nom(s))*

Procureur : *(inscrire les nom, adresse, numéro de téléphone, numéro de télécopieur et nom du cabinet d'avocats)*

Défendeur(s) : *(inscrire le/les nom(s))*

Procureur : *(mêmes renseignements que pour le procureur du demandeur, s'ils sont connus)*

Catégorie de cause *(cocher toute catégorie applicable)* :

DÉLITS CIVILS	CONTRATS	FAMILLE	AUTRE
Véhicule automobile	Biens immeubles	Divorce	Faillite
Autre négligence	Privilège dans l'industrie de la construction	Biens	Propriétaire/locataire
Négligence professionnelle	Recouvrement	Aliments	Abus de confiance
	Renvoi injustifié	Garde d'enfants	Successions
	Autre inexécution de contrat	Autre	Autre

Voie choisie *(ne cocher qu'une seule catégorie)* :

Accélérée

Ordinaire

Droit de la famille

Accélérée des causes relatives aux privilèges

Date proposée de la conférence préparatoire au procès : ..... 199.....

Date proposée du procès : ..... 199.....

S'agit-il d'une cause devant jury? Oui ..... Non .....

Autres renseignements :

Date : ....
Signature du procureur du demandeur

Règl. de l'Ont. 443/90, formule 1.

FORM 2

CASE MANAGEMENT ORDER
(FAST TRACK)

(General heading)

(Court seal)

CASE MANAGEMENT ORDER
(FAST TRACK)

IT IS ORDERED THAT:

Statement of claim

1. The plaintiff shall serve the statement of claim, together with the plaintiff's affidavit of documents, the case information statement and the case management order, on or before the *(insert date thirty days after Day 1)*, and file them with proof of service on or before the *(insert date forty days after Day 1)*. Copies of the documents referred to in Schedule A of the plaintiff's affidavit of documents shall be served with the statement of claim and other documents, but shall not be filed.

Default

2. If the plaintiff does not comply with paragraph 1 and remains in default on the *(insert date forty-five days after Day 1)*, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Statement of defence

3. The defendant shall serve the statement of defence, together with the defendant's affidavit of documents, within thirty days after the date of service of the statement of claim, and shall file them with proof of service within forty days after that date. Copies of the documents referred to in Schedule A of the defendant's affidavit of documents shall be served with the statement of defence and affidavit of documents, but shall not be filed.

Default

4. On the forty-fifth day after the date of service of the statement of claim, the registrar shall note in default a defendant who has not yet complied with paragraph 3.

Service outside Ontario

5. If the defendant is served with the statement of claim outside Ontario, the periods for serving and filing the statement of defence are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the other time periods applicable to the action shall be adjusted accordingly.

Notice of action, notice of intent to defend

6. The time periods applicable to the action are not extended if a notice of action or notice of intent to defend is used.

Reply

7. The reply, if any, shall be delivered within ten days after delivery of the statement of defence. No reply shall be delivered after that time without leave of the court.

Leave for motions

8. No motion may be made without leave, except a motion referred to in paragraph 11 (examinations for discovery) of this case management order or subrule 11 (2) (timely transfers) of the Essex Civil Case Management Rules.

Refusal of leave

9. If leave for a motion is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 10, immediately and regardless of the outcome of the proceeding.

Costs

10. When a party is required to pay costs under paragraph 9, every opposing party who is separately represented by counsel is entitled to costs in the amount of $200. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Examinations for discovery

11. No party may conduct examinations for discovery lasting more than three hours in total without leave. The motion for leave may itself be made without leave.

Notices of readiness

12. It is not necessary to serve notices of readiness for trial.

Listing for trial

13. The plaintiff shall serve and file the record and list the action for trial within forty-five days after the close of pleadings, failing which the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Date and time of pre-trial conference, fast track list

14. As soon as the action is listed for trial, the registrar shall place it on the fast track list, fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs. The date fixed for filing pre-trial conference briefs shall be at least fourteen days earlier than the day fixed for the pre-trial conference.

Failure to file pre-trial conference brief

15. If a party does not file a pre-trial conference brief by the date fixed by the registrar, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 16, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Costs

16. When a party is required to pay costs under paragraph 15, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

No further examinations for discovery without leave

17. After the date fixed for the pre-trial conference, no party may examine for discovery without leave.

Pre-trial conference

18. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Trial date

19. At the pre-trial conference, the judge shall fix a trial date.

Trial

20. The trial shall begin on or before the *(insert date six months after Day 1)*.

Date ..... Signed by .....
(Registrar)

Address of court office .....
.....
.....

O. Reg. 443/90, Form 2.

FORMULE 2

ORDONNANCE DE GESTION DE LA CAUSE (VOIE ACCÉLÉRÉE)

(titre)

(Sceau de la cour)

ORDONNANCE DE GESTION DE LA CAUSE (VOIE ACCÉLÉRÉE)

IL EST ORDONNÉ CE QUI SUIT :

Déclaration

1. Le demandeur signifie la déclaration, ainsi que son affidavit de documents, l'exposé informatif de cause et la présente ordonnance de gestion de la cause, au plus tard le *(inscrire la date qui suit de trente jours le jour premier)*, et les dépose avec une preuve de leur significa-

tion au plus tard le *(inscrire la date qui suit de quarante jours le jour premier)*. Des copies des documents visés à l'annexe A de l'affidavit de documents du demandeur sont signifiées avec la déclaration et les autres documents; cependant, elles ne doivent pas être déposées.

Défaut

2. Si le demandeur ne se conforme pas à la disposition 1 et est toujours en défaut le *(inscrire la date qui suit de quarante-cinq jours le jour premier)*, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Défense

3. Le défendeur signifie la défense, ainsi que son affidavit de documents, dans les trente jours suivant la date de signification de la déclaration, et les dépose avec une preuve de leur signification dans les quarante jours suivant cette date. Des copies des documents visés à l'annexe A de l'affidavit de documents du défendeur sont signifiées avec la défense et l'affidavit de documents; cependant, elles ne doivent pas être déposées.

Défaut

4. Le quarante-cinquième jour suivant la date de signification de la déclaration, le greffier constate le défaut de tout défendeur qui ne s'est pas encore conformé à la disposition 3.

Signification en dehors de l'Ontario

5. Si la déclaration est signifiée au défendeur en dehors de l'Ontario, les délais impartis pour signifier et déposer la défense sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et les autres délais applicables à l'action sont rajustés en conséquence.

Avis d'action, avis d'intention de présenter une défense

6. Les délais applicables à l'action ne sont pas prorogés dans le cas d'un recours à un avis d'action ou à un avis d'intention de présenter une défense.

Réponse

7. La réponse, le cas échéant, est remise dans les dix jours de la remise de la défense. Aucune réponse ne peut être remise passé ce délai sans autorisation du tribunal.

Autorisation de présenter des motions

8. Aucune motion ne peut être présentée sans autorisation, sauf s'il s'agit d'une motion visée à la disposition 11 (interrogatoires préalables) de la présente ordonnance de gestion de la cause ou au paragraphe 11 (2) (transfert de causes en temps opportun) des Règles de gestion des causes civiles d'Essex.

Refus d'autorisation

9. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 10, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

10. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 9, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 200 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Interrogatoires préalables

11. Nulle partie ne peut mener des interrogatoires préalables d'une durée de plus de trois heures sans autorisation. La motion en autorisation peut être présentée sans autorisation.

Avis de mise en état

12. Il n'est pas nécessaire de signifier les avis de mise en état.

Inscription pour instruction

13. Le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les quarante-cinq jours suivant la clôture de la procédure écrite, faute de quoi le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Date et heure de la conférence préparatoire au procès, rôle de la voie accélérée

14. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie accélérée, fixe les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès.

La date de dépôt des mémoires relatifs à la conférence préparatoire au procès précède d'au moins quatorze jours le jour fixé pour la tenue de la conférence.

Défaut de déposer un mémoire relatif à la conférence préparatoire au procès

15. Si une partie ne dépose pas son mémoire relatif à la conférence préparatoire au procès au plus tard à la date fixée par le greffier, ce dernier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 16, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Dépens

16. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 15, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Aucun autre interrogatoire préalable possible sans autorisation

17. Passé la date fixée pour la tenue de la conférence préparatoire au procès, nulle partie ne peut procéder à un interrogatoire préalable sans autorisation.

Conférence préparatoire au procès

18. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Date du procès

19. Lors de la conférence préparatoire au procès, le juge fixe la date du procès.

Procès

20. Le procès débute au plus tard le *(inscrire la date qui suit de six mois le jour premier)*.

Date : ..... Signée par : .....
(greffier)

Adresse du greffe : .....

.....

.....

Règl. de l'Ont. 443/90, formule 2.

FORM 3

CASE MANAGEMENT ORDER (STANDARD TRACK)

(General heading)

(Court seal)

CASE MANAGEMENT ORDER
(STANDARD TRACK)

IT IS ORDERED THAT:

Statement of claim

1. The plaintiff shall serve the statement of claim, together with the case information statement and this case management order, on or before the *(insert date thirty days after Day 1)*, and file them with proof of service on or before the *(insert date forty days after Day 1)*.

Default

2. If the plaintiff does not comply with paragraph 1 and remains in default on the *(insert date forty-five days after Day 1)*, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Statement of defence

3. The defendant shall serve the statement of defence, within thirty days after the date of service of the statement of claim, and shall file it with proof of service within forty days after that date.

Default

4. On the forty-fifth day after the date of service of the statement of claim, the registrar shall note in default a defendant who has not yet complied with paragraph 3.

Service outside Ontario

5. If the defendant is served with the statement of claim outside Ontario, the periods for serving and filing the statement of defence are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the other time periods applicable to the action shall be adjusted accordingly.

Notice of action, notice of intent to defend

6. The time periods applicable to the action are not extended if a notice of action or notice of intent to defend is used.

Reply

7. The reply, if any, shall be delivered within ten days after delivery of the statement of defence. No reply shall be delivered after that time without leave of the court.

Notices of readiness

8. It is not necessary to serve notices of readiness for trial.

Listing for trial

9. The plaintiff shall serve and file the record and list the action for trial within seventy-five days after the close of pleadings, failing which the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Date and time of pre-trial conference, standard track list

10. As soon as the action is listed for trial, the registrar shall place it on the standard track list, fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs. The date fixed for the pre-trial conference shall be at least eight months after the day the action is listed for trial (unless an earlier date is available and the parties consent), and the date fixed for filing pre-trial conference briefs shall be at least thirty days before the day fixed for the pre-trial conference.

Failure to file pre-trial conference brief

11. If a party does not file a pre-trial conference brief by the date fixed by the registrar, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 12, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Costs

12. When a party is required to pay costs under paragraph 11, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

No further examinations for discovery without leave

13. After the date fixed for the pre-trial conference, no party may examine for discovery or make a motion without leave.

Refusal of leave

14. If leave for a motion requiring leave is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 15, immediately and regardless of the outcome of the proceeding.

Costs

15. When a party is required to pay costs under paragraph 14, every opposing party who is separately represented by counsel is entitled to costs in the amount of $200. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Pre-trial conference

16. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Trial date

17. At the pre-trial conference, the judge shall fix a trial date, which shall be at least thirty days after the pre-trial conference.

Trial

18. The trial shall begin on or before the *(insert date eighteen months after Day 1)*.

Date ..... Signed by .....
(Registrar)

Address of court office .....
.....
.....

O. Reg. 443/90, Form 3.

FORMULE 3

ORDONNANCE DE GESTION DE LA CAUSE (VOIE ORDINAIRE)

(titre)

(Sceau de la cour)

ORDONNANCE DE GESTION DE LA CAUSE (VOIE ORDINAIRE)

IL EST ORDONNÉ CE QUI SUIT :

Déclaration

1. Le demandeur signifie la déclaration, ainsi que l'exposé informatif de cause et la présente ordonnance de gestion de la cause, au plus tard le *(inscrire la date qui suit de trente jours le jour premier)*, et les dépose avec une preuve de leur signification au plus tard le *(inscrire la date qui suit de quarante jours le jour premier)*.

Défaut

2. Si le demandeur ne se conforme pas à la disposition 1 et est toujours en défaut le *(inscrire la date qui suit de quarante-cinq jours le jour premier)*, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Défense

3. Le défendeur signifie la défense dans les trente jours suivant la date de signification de la déclaration, et le dépose avec une preuve de sa signification dans les quarante jours suivant cette date.

Défaut

4. Le quarante-cinquième jour suivant la date de signification de la déclaration, le greffier constate le défaut de tout défendeur qui ne s'est pas encore conformé à la disposition 3.

Signification en dehors de l'Ontario

5. Si la déclaration est signifiée au défendeur en dehors de l'Ontario, les délais impartis pour signifier et déposer la défense sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et les autres délais applicables à l'action sont rajustés en conséquence.

Avis d'action, avis d'intention de présenter une défense

6. Les délais applicables à l'action ne sont pas prorogés dans le cas d'un recours à un avis d'action ou à un avis d'intention de présenter une défense.

Réponse

7. La réponse, le cas échéant, est remise dans les dix jours de la remise de la défense. Aucune réponse ne peut être remise passé ce délai sans autorisation du tribunal.

Avis de mise en état

8. Il n'est pas nécessaire de signifier les avis de mise en état.

Inscription pour instruction

9. Le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les soixante-quinze jours suivant la clôture de la procédure écrite, faute de quoi le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas

remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Date et heure de la conférence préparatoire au procès, rôle de la voie ordinaire

10. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie ordinaire, fixe les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès. La date fixée pour la tenue de la conférence suit d'au moins huit mois le jour où l'action est inscrite pour instruction (à moins qu'une date plus rapprochée ne soit possible et que les parties n'y consentent), et la date de dépôt des mémoires relatifs à la conférence préparatoire au procès précède d'au moins trente jours le jour fixé pour la tenue de celle-ci.

Défaut de déposer un mémoire relatif à la conférence préparatoire au procès

11. Si une partie ne dépose pas son mémoire relatif à la conférence préparatoire au procès au plus tard à la date fixée par le greffier, ce dernier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 12, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Dépens

12. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 11, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Aucun autre interrogatoire préalable ou motion possible sans autorisation

13. Passé la date fixée pour la tenue de la conférence préparatoire au procès, nulle partie ne peut procéder à un interrogatoire préalable ni présenter une motion sans autorisation.

Refus d'autorisation

14. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 15, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

15. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 14, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 200 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence préparatoire au procès

16. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Date du procès

17. Lors de la conférence préparatoire au procès, le juge fixe la date du procès, qui suit d'au moins trente jours la conférence préparatoire au procès.

Procès

18. Le procès débute au plus tard le *(inscrire la date qui suit de dix-huit mois le jour premier)*.

Date : ..... Signée par : .....
(greffier)

Adresse du greffe : .....

.....

.....

Règl. de l'Ont. 443/90, formule 3.

FORM 4

CASE MANAGEMENT ORDER
(FAMILY TRACK)

(General heading)

(Court seal)

CASE MANAGEMENT ORDER
(FAMILY TRACK)

IT IS ORDERED THAT:

Date of management conference

1. The management conference shall take place on the (*insert date at least ninety days but not more than 120 days after Day 1*).

Petition or statement of claim

2. The plaintiff shall serve the petition or statement of claim, together with the financial statement if required, the case information statement and this case management order, on or before the (*insert date thirty days after Day 1*), and file them with proof of service on or before the (*insert date forty days after Day 1*).

Default

3. If the plaintiff does not comply with paragraph 2 and remains in default on the (*insert date forty-five days after Day 1*), the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Answer or statement of defence

4. The defendant shall serve the answer or statement of defence, together with the financial statement if required, within thirty days after the date of service of the petition or statement of claim, and shall file them with proof of service within forty days after that date.

Default

5. On the forty-fifth day after the date of service of the petition or statement of claim, the registrar shall note in default a defendant who has not yet complied with paragraph 4.

Service outside Ontario

6. If the defendant is served with the petition or statement of claim outside Ontario, the periods for serving and filing the answer or statement of defence are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the other time periods applicable to the action shall be adjusted accordingly.

Notice of action, notice of intent to defend

7. The time periods applicable to the action are not extended if a notice of action or notice of intent to defend is used.

Reply

8. The reply, if any, shall be delivered within twenty days after delivery of the answer, answer and counterclaim or statement of defence. No reply shall be delivered after that time without leave of the court.

Notices of readiness

9. It is not necessary to serve notices of readiness for trial.

Listing for trial

10. The plaintiff shall serve and file the record and list the action for trial within forty-five days after the close of pleadings, failing which the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Family track

11. As soon as the action is listed for trial, the registrar shall place it on the family track list.

Rescheduling management conference

12. The court may, on a party's motion, reschedule the management conference for an earlier date. The motion does not require supporting written material and may be heard by means of a conference telephone call.

Documents for management conference

13. At least seven days before the date of the management conference, every party shall serve on every other party and file with proof of service a one-page summary of the issues in the action, a net family property statement, if required, with copies of documents substantiating the calculations, and a list of documents still to be obtained.

Failure to file documents

14. If a party does not file the documents within the prescribed time period, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 15, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Costs

15. When a party is required to pay costs under paragraph 14, 18 or 20, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Management conference

16. All parties, as well as counsel, shall attend the management conference, unless an order excusing a party is made before the date fixed for the management conference.

17. A judge, a master or a person designated by the regional senior judge shall preside at the management conference, shall discuss with the parties the possibility of settlement and may give all necessary directions, including a direction for the immediate trial of an issue and the direction of a reference on an issue.

Failure to comply with direction

18. If a party fails to comply with a direction given at the management conference, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 15, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

Date and time of pre-trial conference

19. At the management conference, the person presiding shall also fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs. The date fixed for filing pre-trial conference briefs shall be at least thirty days earlier than the date fixed for the pre-trial conference.

Failure to file pre-trial conference brief

20. If a party does not file a pre-trial conference brief by the date fixed under paragraph 19, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 15, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

No further examinations for discovery or motions without leave

21. After the date fixed for the pre-trial conference, no party may examine for discovery or make a motion without leave.

Refusal of leave

22. If leave for motion requiring leave is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 23, immediately and regardless of the outcome of the proceeding.

Costs

23. When a party is required to pay costs under paragraph 22, every opposing party who is separately represented by counsel is entitled to costs in the amount of $200. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Pre-trial conference

24. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Who shall preside

25. The person who presided at the management conference shall also preside at the pre-trial conference.

Trial date

26. At the pre-trial conference, the person presiding shall fix a trial date, which shall be at least thirty days after the pre-trial conference.

Trial

27. The trial shall begin on or before the (*insert date one year after Day 1*).

Date ..... Signed by .....
(Registrar)

Address of court office .....

.....

.....

O. Reg. 443/90, Form 4.

FORMULE 4

ORDONNANCE DE GESTION DE LA CAUSE
(VOIE DES CAUSES EN DROIT DE LA FAMILLE)

(titre)

(Sceau de la cour)

ORDONNANCE DE GESTION DE LA CAUSE
(VOIE DES CAUSES EN DROIT DE LA FAMILLE)

IL EST ORDONNÉ CE QUI SUIT :

Date de la conférence de gestion

1. La conférence de gestion a lieu le *(inscrire une date qui suit d'au moins quatre-vingt-dix jours et d'au plus 120 jours le jour premier)*.

Requête en divorce ou déclaration

2. Le demandeur signifie la requête en divorce ou la déclaration, ainsi que l'état financier s'il est requis, l'exposé informatif de cause et la présente ordonnance de gestion de la cause au plus tard le *(inscrire la date qui suit de trente jours le jour premier)*, et les dépose avec une preuve de leur signification au plus tard le *(inscrire la date qui suit de quarante jours le jour premier)*.

Défaut

3. Si le demandeur ne se conforme pas à la disposition 2 et est toujours en défaut le *(inscrire la date qui suit de quarante-cinq jours le jour premier)*, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Défense à la requête en divorce ou défense

4. Le défendeur signifie la défense à la requête en divorce ou la défense, ainsi que l'état financier s'il est requis, dans les trente jours suivant la date de signification de la requête en divorce ou de la déclaration, et les dépose avec une preuve de leur signification dans les quarante jours suivant cette date.

Défaut

5. Le quarante-cinquième jour suivant la date de signification de la requête en divorce ou de la déclaration, le greffier constate le défaut de tout défendeur qui ne s'est pas encore conformé à la disposition 4.

Signification en dehors de l'Ontario

6. Si la requête en divorce ou la déclaration est signifiée au défendeur en dehors de l'Ontario, les délais impartis pour signifier et déposer la défense à la requête en divorce ou la défense sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et les autres délais applicables à l'action sont rajustés en conséquence.

Avis d'action, avis d'intention de présenter une défense

7. Les délais applicables à l'action ne sont pas prorogés dans le cas d'un recours à un avis d'action ou à un avis d'intention de présenter une défense.

Réponse

8. La réponse, le cas échéant, est remise dans les vingt jours de la remise de la défense à la requête en divorce, de la défense et de la demande reconventionnelle en divorce ou de la défense. Aucune réponse ne peut être remise passé ce délai sans autorisation du tribunal.

Avis de mise en état

9. Il n'est pas nécessaire de signifier les avis de mise en état.

Inscription pour instruction

10. Le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les quarante-cinq jours suivant la clôture de la procédure écrite, faute de quoi le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Voie des causes en droit de la famille

11. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie des causes en droit de la famille.

Changement de la date de la conférence de gestion

12. Le tribunal peut, sur la motion d'une partie, avancer la date de la conférence de gestion. Il n'est pas nécessaire que la motion soit appuyée par des documents écrits, et son audition peut se faire par conférence téléphonique.

Documents destinés à la conférence de gestion

13. Au moins sept jours avant la date de la conférence de gestion, chaque partie signifie à chacune des autres et dépose, avec une preuve de signification, un résumé d'une page des questions en litige qui font l'objet de l'action, un état des biens familiaux nets si elle est requise, accompagnée des copies des documents à l'appui des calculs, et une liste des documents qui doivent toujours être obtenus.

Défaut de déposer des documents

14. Si une partie ne dépose pas les documents dans le délai prescrit, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 15, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Dépens

15. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 14, 18 ou 20, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence de gestion

16. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence de gestion, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence de gestion.

17. Un juge, un protonotaire ou une personne désignée par le juge principal régional préside la conférence de gestion, discute avec les parties de la possibilité d'une transaction et peut donner toutes les directives nécessaires, y compris une directive prescrivant l'instruction immédiate d'une question en litige et une directive de renvoi d'une question en litige.

Inobservation d'une directive

18. Si une partie n'observe pas une directive donnée à la conférence de gestion, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 15, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Date et heure de la conférence préparatoire au procès

19. Lors de la conférence de gestion, la personne qui préside fixe également les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès. La date de dépôt des mémoires relatifs à la conférence préparatoire au procès précède d'au moins trente jours la date fixée pour la tenue de celle-ci.

Défaut de déposer un mémoire relatif à la conférence préparatoire au procès

20. Si une partie ne dépose pas son mémoire relatif à la conférence préparatoire au procès au plus tard à la date fixée aux termes de la disposition 19, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 15, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Aucun autre interrogatoire préalable ou motion possible sans autorisation

21. Passé la date fixée pour la tenue de la conférence préparatoire au procès, nulle partie ne peut procéder à un interrogatoire préalable ni présenter une motion sans autorisation.

Refus d'autorisation

22. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 23, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

23. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 22, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 200 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence préparatoire au procès

24. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Présidence

25. La personne qui a présidé la conférence de gestion préside également la conférence préparatoire au procès.

Date du procès

26. Lors de la conférence préparatoire au procès, la personne qui préside fixe la date du procès, qui suit d'au moins trente jours la conférence préparatoire au procès.

Procès

27. Le procès débute au plus tard le *(inscrire la date qui suit d'un an le jour premier)*.

Date : ..... Signée par : .....
(greffier)

Adresse du greffe : .....

.....

.....

Règl. de l'Ont. 443/90, formule 4.

FORM 5

CASE MANAGEMENT ORDER (FAST LIEN TRACK)

(General heading)

(Court seal)

CASE MANAGEMENT ORDER
(FAST LIEN TRACK)

IT IS ORDERED THAT:

Statement of claim

1. The plaintiff shall serve the statement of claim, together with the plaintiff's affidavit of documents, the case information statement and this case management order, on or before the (*insert date ninety days after Day 1*), in accordance with subsection 53 (2) of the *Construction Lien Act* ("the Act"), and shall file them with proof of service on or before the (*insert date 100 days after Day 1)*. The documents referred to in Schedule A of the plaintiff's affidavit of documents shall include the claim for lien (as registered, if the lien attaches to the premises) and affidavit of verification, and shall be served with the statement of claim and other documents, but shall not be filed.

Default

2. If the plaintiff does not comply with paragraph 1 and remains in default on the (*insert date 105 days after Day 1*), the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence. However, unless the court orders otherwise, the registration of the claim for lien and of any certificate of action in respect of the lien shall not be vacated until ten days have elapsed after the order of dismissal is served on the plaintiff.

Statement of defence

3. The defendant shall deliver the statement of defence, together with the defendant's affidavit of documents, within twenty days after the date of service of the statement of claim, in accordance with subsection 54 (1) of the Act. Copies of the documents referred to in Sched-

ule A of the defendant's affidavit of documents shall be served with the statement of defence and affidavit of documents, but shall not be filed.

Default

4. On the twenty-fifth day after the date of service of the statement of claim, the registrar shall note in default a defendant who has not yet complied with paragraph 3.

Motion for judgment

5. The plaintiff shall move for judgment within sixty days after the defendant is noted in default. Affidavit evidence may be received at the hearing of the motion.

Default

6. If the plaintiff does not comply with paragraph 5, the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action. However, unless the court orders otherwise, the registration of the claim for lien and of any certificate of action in respect of the lien shall not be vacated until ten days have elapsed after the order of dismissal is served on the plaintiff.

Service outside Ontario

7. If the defendant is served with the statement of claim outside Ontario, the periods for serving and filing the statement of defence are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the other time periods applicable to the action shall be adjusted accordingly.

Notice of action, notice of intent to defend

8. The time periods applicable to the action are not extended if a notice of action or notice of intent to defend is used.

Reply

9. The reply, if any, shall be delivered within ten days after delivery of the statement of defence. No reply shall be delivered after that time without leave of the court.

Settlement meeting obligatory

10. A settlement meeting shall be held in accordance with section 61 of the Act on a day chosen by the plaintiff, at least thirty days but not more than fifty days after the date of service of the statement of claim. It is not necessary to obtain an order for the holding of the meeting under subsection 60 (1) of the Act.

Notice

11. The plaintiff shall serve notice of the settlement meeting in accordance with subsection 60 (2) of the Act and shall file proof of service within ten days after service. A copy of this case management order shall be served with the notice of the settlement meeting.

Date for hearing of motion

12. When proof of service of the notice of settlement meeting is filed, the registrar shall fix a date that is at least fifteen days but not more than sixty days after the date of the settlement meeting, for the hearing of a motion before a judge for the purposes set out in subsection 61 (5) of the Act. The registrar shall notify the plaintiff of the date and the plaintiff shall serve the notice of motion in accordance with subsection 60 (2) of the Act and shall file proof of service.

Statement of settlement

13. If the settlement meeting does not result in a complete settlement of the action, the statement of settlement referred to in subsection 61 (3) of the Act shall, in addition to summarizing any issues of fact and law that have been settled by the parties, contain:

    i. the names of the lien claimants,

    ii. if entitlement to a lien or perfection or preservation of a lien are in question, a summary of the relevant issues,

    iii. a statement of the priorities of the lien claimants and encumbrancers or, if there is no agreement as to priorities, a summary of the relevant issues,

    iv. a summary of any other issues of fact and law to be determined at trial,

    v. a statement identifying the documents agreed on for filing at trial and, if the admissibility or authenticity of a document is in question, a summary of the relevant issues,

    vi. if the amount of the plaintiff's claim is in question, a summary of the relevant issues,

    vii. if evidence is to be presented at trial, a list of witnesses to be called,

    viii. an estimate of the time that will be required for trial of the action or consolidated actions,

ix. if there is more than one action respecting the same land, an agreement as to which plaintiff shall have carriage of the consolidated actions, and

x. a statement indicating that all parties have signed the statement of settlement or, if that is not the case, indicating which parties have done so and the other parties' reasons for not signing.

Filing of statement of settlement

14. The party who conducted the settlement meeting shall file the statement of settlement within ten days after the settlement meeting.

Powers of court at hearing of motion

15. At the hearing of the motion referred to in paragraph 12, the court may exercise the powers set out in subsection 61 (5) of the Act and may,

i. if there is more than one action respecting the same land, consolidate the actions and give carriage of the consolidated action in accordance with the statement of settlement,

ii. fix a date, which shall be at least ninety days but not more than 120 days after the hearing of the motion, for the trial of action or any issue in the action,

iii. if the only outstanding issue is the amount of the plaintiff's claim, give judgment and direct a reference to a judge or master to take accounts and report on that issue,

iv. direct that the plaintiff having carriage of the action file before the trial date a copy of an abstract of title and sheriff's certificate (in the case of premises subject to the *Registry Act*) or of a certificate of title (in the case of premises subject to the *Land Titles Act*), dated not more than ten days before the trial date or, if the lien does not attach to the premises, a statement by the owner showing the identity of persons with preserved or perfected liens against the premises,

v. direct that examinations for discovery be held in respect of any contested issues set out in the statement of settlement, and

vi. direct that a brief of the documents referred to in the statement of settlement be filed at least fifteen days before the trial date.

Exception, no parties entitled to notice of settlement meeting

16. If there are no parties who are entitled to notice of a settlement meeting under subsection 60 (2) of the Act, the plaintiff, upon filing an affidavit to that effect with the registrar, may move immediately for summary judgment without holding a settlement meeting or making the motion referred to in paragraph 12.

Refusal of leave for motion

17. If leave for a motion requiring lease is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 18, immediately and regardless of the outcome of the proceeding.

Costs

18. When a party is required to pay costs under paragraph 17 or 26, every opposing party who is separately represented by counsel is entitled to costs in the amount of $100. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Examinations for discovery

19. No party may conduct examinations for discovery lasting more than three hours in total without leave. The motion for leave may itself be made without leave.

Notices of readiness

20. It is not necessary to serve notices of readiness for trial.

Record

21. The trial record shall contain a copy of the statement of settlement and of the order made under paragraph 15.

Notice of trial

22. The plaintiff having carriage of the trial shall serve a notice in accordance with subsection 60 (4) of the Act.

Listing for trial

23. The plaintiff shall serve and file the record and list the action for trial within forty-five days after the close of pleadings, failing which the registrar shall immediately serve on the plaintiff a notice that the action will be dismissed if the default is not cured within fifteen days after service of the notice. If the plaintiff does not cure the default within that time, the registrar shall dismiss the action, with costs payable by the plaintiff to all defendants who have delivered a defence.

Fast lien track

24. As soon as the action is listed for trial, the registrar shall place it on the fast lien track list.

Trial

25. The trial shall begin on or before the (*insert date ten months after Day 1*).

General penalty for lateness

26. If a party who is required by this order to take a step within a specific time fails to do so and no other penalty is provided for the default, the registrar shall (except in the case of a defendant against whom pleadings have been noted closed) immediately send the party a notice requiring the party to appear before the court and request an extension of time. If the court grants the extension, the party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 18, immediately and regardless of the outcome of the proceeding. If the party fails to appear or if the court refuses the extension, the action shall be dismissed or the party's pleadings struck out, as the case may be.

Date ..... Signed by .....
(Registrar)

Address of court office .....
.....
.....

O. Reg. 443/90, Form 5.

FORMULE 5

ORDONNANCE DE GESTION DE LA CAUSE
(VOIE ACCÉLÉRÉE DES CAUSES RELATIVES AUX PRIVILÈGES)

(titre)

(Sceau de la cour)

ORDONNANCE DE GESTION DE LA CAUSE
(VOIE ACCÉLÉRÉE DES CAUSES RELATIVES AUX PRIVILÈGES)

IL EST ORDONNÉ CE QUI SUIT :

Déclaration

1. Le demandeur signifie la déclaration, ainsi que son affidavit de documents, l'exposé informatif de cause et la présente ordonnance de gestion de la cause, au plus tard le *(inscrire la date qui suit de quatre-vingt-dix jours le jour premier)*, conformément au paragraphe 53 (2) de la *Loi sur le privilège dans l'industrie de la construction* («la Loi»), et les dépose avec une preuve de leur signification au plus tard le *(inscrire la date qui suit de 100 jours le jour premier)*. Les documents visés à l'annexe A de l'affidavit de documents du demandeur comprennent l'avis de privilège (tel qu'il est enregistré, si le privilège grève le local) et une attestation, et sont signifiés avec la déclaration et les autres documents; cependant, ils ne doivent pas être déposés.

Défaut

2. Si le demandeur ne se conforme pas à la disposition 1 et est toujours en défaut le *(inscrire la date qui suit de 105 jours le jour premier)*, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur. Cependant, sauf ordonnance contraire du tribunal, l'enregistrement de l'avis de privilège et de tout certificat d'action à l'égard du privilège ne peut être annulé avant que dix jours ne se soient écoulés après la signification de l'ordonnance de rejet au demandeur.

Défense

3. Le défendeur remet la défense, ainsi que son affidavit de documents, dans les vingt jours suivant la date de signification de la déclaration, conformément au paragraphe 54 (1) de la Loi. Des copies des documents visés à l'annexe A de l'affidavit de documents du défendeur sont signifiées avec la défense et l'affidavit de documents; cependant, elles ne doivent pas être déposées.

Défaut

4. Le vingt-cinquième jour suivant la date de signification de la déclaration, le greffier constate le défaut de tout défendeur qui ne s'est pas encore conformé à la disposition 3.

Motion en vue d'obtenir un jugement

5. Le demandeur demande par voie de motion un jugement dans les soixante jours suivant la constatation du défaut du défendeur. Les affidavits sont recevables en preuve lors de l'audition de la motion.

Défaut

6. Si le demandeur ne se conforme pas à la disposition 5, le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action. Cependant, sauf ordonnance contraire du tribunal, l'enregistrement de l'avis de privilège et de tout certificat d'action à l'égard du privilège ne peut être résilié avant que dix jours ne se soient écoulés après la signification de l'ordonnance de rejet au demandeur.

Signification en dehors de l'Ontario

7. Si la déclaration est signifiée au défendeur en dehors de l'Ontario, les délais impartis pour signifier et déposer la défense sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et les autres délais applicables à l'action sont rajustés en conséquence.

Avis d'action, avis d'intention de présenter une défense

8. Les délais applicables à l'action ne sont pas prorogés dans le cas d'un recours à un avis d'action ou à un avis d'intention de présenter une défense.

Réponse

9. La réponse, le cas échéant, est remise dans les dix jours de la remise de la défense. Aucune réponse ne peut être remise passé ce délai sans autorisation du tribunal.

Réunion en vue d'une transaction obligatoire

10. Une réunion en vue d'une transaction se tient conformément à l'article 61 de la Loi le jour choisi par le demandeur, qui suit d'au moins trente jours et d'au plus cinquante jours la date de signification de la déclaration. Il n'est pas nécessaire d'obtenir une ordonnance pour la tenue de la réunion aux termes du paragraphe 60 (1) de la Loi.

Avis

11. Le demandeur signifie un avis de la réunion en vue d'une transaction conformément au paragraphe 60 (2) de la Loi et dépose une preuve de sa signification dans les dix jours suivant la signification. Une copie de la présente ordonnance de gestion de la cause est signifiée avec l'avis de la réunion en vue d'une transaction.

Date d'audition de la motion

12. Lorsqu'une preuve de la signification d'un avis de réunion en vue d'une transaction est déposée, le greffier fixe une date d'audition de la motion devant un juge aux fins énoncées au paragraphe 61 (5) de la Loi, laquelle date suit d'au moins quinze jours et d'au plus soixante jours la date de la réunion en vue d'une transaction. Le greffier avise le demandeur de cette date et ce dernier signifie l'avis de motion conformément au paragraphe 60 (2) de la Loi et dépose une preuve de sa signification.

Constat de transaction

13. Si la réunion en vue d'une transaction n'aboutit pas à une transaction exhaustive de l'action, le constat de transaction visé au paragraphe 61 (3) de la Loi, en plus de résumer les questions de fait et de droit sur lesquelles les parties ont transigé, indique tout ce qui suit :

    i. les noms des créanciers privilégiés,

    ii. un résumé des questions en litige pertinentes, si le droit à un privilège ou l'opposabilité ou la conservation d'un privilège sont en cause,

    iii. une déclaration de l'ordre de priorité des créanciers privilégiés et des bénéficiaires de sûretés ou, en l'absence d'entente sur l'ordre de priorité, un résumé des questions en litige pertinentes,

    iv. un résumé des autres questions de fait et de droit devant être tranchées au procès,

    v. une déclaration précisant les documents dont il a été convenu qu'ils seraient déposés au procès et, si la recevabilité ou l'authenticité d'un document est en cause, un résumé des questions en litige pertinentes,

    vi. un résumé des questions en litige pertinentes, si le montant demandé par le demandeur est en cause,

    vii. une liste des personnes devant être appelées à témoigner au procès, si des preuves doivent être présentées au procès,

    viii. une estimation du temps qui sera nécessaire à l'instruction de l'action ou des actions réunies,

    ix. une entente établissant le demandeur qui est chargé de la conduite des actions réunies, si plus d'une action se rapporte au même bien-fonds,

    x. une déclaration indiquant que toutes les parties ont signé le constat de transaction ou, dans le cas contraire, indiquant quelles parties ont signé, ainsi que les motifs de celles qui ont refusé de signer.

Dépôt du constat de transaction

14. La partie qui a dirigé la réunion en vue d'une transaction dépose le constat de transaction dans les dix jours suivant la réunion.

Pouvoirs du tribunal lors de l'audition de la motion

15. Lors de l'audition de la motion visée à la disposition 12, le tribunal peut exercer les pouvoirs énoncés au paragraphe 61 (5) de la Loi et peut faire également tout ce qui suit :

i. si plus d'une action se rapporte au même bien-fonds, réunir les actions et confier la responsabilité de la conduite de l'action issue de la réunion, conformément au constat de transaction,

ii. fixer une date, qui doit suivre d'au moins quatre-vingt-dix jours et d'au plus 120 jours l'audition de la motion, pour l'instruction de l'action ou de toute question en litige faisant l'objet de l'action,

iii. si la seule question en litige qui subsiste est celle du montant demandé par le demandeur, rendre un jugement et ordonner un renvoi à un juge ou à un protonotaire pour la reddition des comptes et la présentation d'un rapport sur cette question,

iv. ordonner que le demandeur chargé de la conduite de l'action dépose avant la date du procès une copie d'un relevé d'actes et d'un certificat du shérif (dans le cas d'un local assujetti à la *Loi sur l'enregistrement des actes)* ou d'un certificat de titre (dans le cas d'un local assujetti à la *Loi sur l'enregistrement des droits immobiliers)*, dont la date ne doit pas précéder de plus de dix jours la date du procès ou, si le privilège ne grève pas le local, une déclaration du propriétaire indiquant l'identité des titulaires d'un privilège conservé ou rendu opposable qui grève le local,

v. ordonner que des interrogatoires préalables aient lieu sur toute question contestée qui est énoncée dans le constat de transaction,

vi. ordonner qu'un mémoire des documents visés dans le constat de transaction soit déposé au moins quinze jours avant la date du procès.

Exception : cas où nulle partie n'a le droit de recevoir un avis de la réunion en vue d'une transaction

16. Si nulle partie n'a le droit de recevoir un avis de la réunion en vue d'une transaction aux termes du paragraphe 60 (2) de la Loi, le demandeur peut, en déposant un affidavit à cet effet auprès du greffier, demander immédiatement, par voie de motion, un jugement sommaire sans tenir de réunion en vue d'une transaction ni présenter la motion visée à la disposition 12.

Refus d'autorisation de présenter une motion

17. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 18, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

18. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 17 ou 26, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 100 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Interrogatoires préalables

19. Nulle partie ne peut mener des interrogatoires préalables d'une durée de plus de trois heures sans autorisation. La motion en vue d'obtenir l'autorisation peut être présentée sans autorisation.

Avis de mise en état

20. Il n'est pas nécessaire de signifier les avis de mise en état.

Dossier d'instruction

21. Le dossier d'instruction comprend une copie du constat de transaction et de l'ordonnance prévue à la disposition 15.

Avis de procès

22. Le demandeur chargé de la conduite de l'action signifie un avis conformément au paragraphe 60 (4) de la Loi.

Inscription pour instruction

23. Le demandeur signifie et dépose le dossier d'instruction, et inscrit l'action pour instruction dans les quarante-cinq jours suivant la clôture de la procédure écrite, faute de quoi le greffier lui signifie immédiatement un avis indiquant que l'action sera rejetée s'il n'est pas remédié au défaut dans les quinze jours suivant la signification de l'avis. Si le demandeur ne remédie pas au défaut dans ce délai, le greffier rejette l'action et les dépens de tous les défendeurs qui ont remis une défense sont à la charge du demandeur.

Voie accélérée des causes relatives aux privilèges

24. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie accélérée des causes relatives aux privilèges.

Procès

25. Le procès débute au plus tard le *(inscrire la date qui suit de dix mois le jour premier)*.

Pénalité générale en cas de retard

26. Si une partie qui est tenue par la présente ordonnance de prendre une mesure dans un délai précis omet de le faire et qu'aucune autre pénalité n'est prévue pour cette omission, le greffier envoie (sauf dans le cas d'un défendeur contre lequel la clôture de la procédure a été constatée) immédiatement à la partie un avis exigeant qu'elle comparaisse devant le tribunal pour demander une prorogation de délai. Si le tribunal accorde la prorogation, la partie paie un montant à titre de dépens déterminé conformément à la disposition 18, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal. Si la partie ne comparaît pas ou si le tribunal refuse la prorogation, l'action est rejetée ou les actes de procédure de la partie sont radiés, selon le cas.

Date : ..... Signée par : .....
(greffier)

Adresse du greffe : .....

.....

.....

Règl. de l'Ont. 443/90, formule 5.

FORM 6

CASE MANAGEMENT ORDER (COMPLEX TRACK)

(General heading)

(Court seal)

CASE MANAGEMENT ORDER
(COMPLEX TRACK)

IT IS ORDERED THAT:

Transfer to complex track

1. This action is transferred to the complex track.

Case management judge

2. .....(*name of judge*) is assigned to the action as case management judge, to monitor its progress and to make any orders and give directions that are necessary.

Motions

3. The case management judge shall hear all motions in the action unless he or she is unavailable and the court gives a party leave to make a motion to another judge.

Refusal of leave for motion

4. If leave for a motion requiring leave is refused, the moving party shall, unless the court orders otherwise, pay costs in an amount determined in accordance with paragraph 5, immediately and regardless of the outcome of the proceeding.

Costs

5. When a party is required to pay costs under paragraph 4, every opposing party who is separately represented by counsel is entitled to costs in the amount of $100 (in the case of a construction lien action) or $200 in any other case. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in the relevant amount.

Status hearing in lien action

6. In the case of a construction lien action, if the action is not set down for trial within eighteen months after Day 1, the case management judge shall hold an informal status hearing.

Complex track list

7. As soon as the action is listed for trial, the registrar shall place it on the complex track list.

Date and time of pre-trial conference

8. The case management judge shall fix the date and time for the pre-trial conference and fix a date by which all parties shall file pre-trial conference briefs.

Pre-trial conference

9. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Trial date

10. The case management judge shall preside at the pre-trial conference and shall at that time fix a trial date, which shall be at least sixty days after the pre-trial conference.

Additional pre-trial conference

11. After the completion of the pre-trial conference, any party may, on requisition, have an additional pre-trial conference conducted by a different judge. Further pre-trial conferences require an order of the court.

Trial

12. The trial shall begin on or before the (*insert date three years after Day 1*).

Date ..... Signed by .....
(Judge)

Address of court office .....
.....
.....

O. Reg. 443/90, Form 6.

FORMULE 6

ORDONNANCE DE GESTION DE LA CAUSE (VOIE DES CAUSES COMPLEXES)

(titre)

(Sceau de la cour)

ORDONNANCE DE GESTION DE LA CAUSE
(VOIE DES CAUSES COMPLEXES)

IL EST ORDONNÉ CE QUI SUIT :

Transfert de causes à la voie des causes complexes

1. La présente action est transférée à la voie des causes complexes.

Juge responsable de la gestion des causes

2. ..... (*nom du juge*) est affecté à l'action en tant que juge responsable de la gestion des causes pour en contrôler le déroulement et pour rendre toute ordonnance et donner toute directive nécessaires.

Motions

3. Le juge responsable de la gestion des causes entend toutes les motions qui sont présentées dans l'action, à moins qu'il ne soit pas disponible et que le tribunal n'autorise la partie à présenter une motion devant un autre juge.

Refus d'autorisation de présenter une motion

4. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 5, immédiatement et indépendamment de l'issue de l'instance, sauf ordonnance contraire du tribunal.

Dépens

5. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 4, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 100 $ à titre de dépens (dans le cas d'une action sur un privilège dans l'industrie de la construction) ou de 200 $ dans tous les autres cas. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement au montant approprié à titre de dépens.

Audience sur l'état de l'instance dans une action sur un privilège dans l'industrie de la construction

6. Dans le cas d'une action sur un privilège dans l'industrie de la construction, si l'action n'est pas inscrite pour instruction dans les dix-huit mois suivant le jour premier, le juge responsable de la gestion des causes tient une audience informelle sur l'état de l'instance.

Rôle de la voie des causes complexes

7. Dès que l'action est inscrite pour instruction, le greffier l'inscrit au rôle de la voie des causes complexes.

Date et heure de la conférence préparatoire au procès

8. Le juge responsable de la gestion des causes fixe les date et heure de la conférence préparatoire au procès, ainsi qu'une date limite de dépôt par toutes les parties des mémoires relatifs à la conférence préparatoire au procès.

Conférence préparatoire au procès

9. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Date du procès

10. Le juge responsable de la gestion des causes préside la conférence préparatoire au procès et, à cette occasion, fixe la date du procès, qui suit d'au moins soixante jours la conférence préparatoire au procès.

Nouvelle conférence préparatoire au procès

11. Au terme de la conférence préparatoire au procès, une partie peut, sur réquisition, obtenir qu'une nouvelle conférence préparatoire au procès soit menée par un juge différent. La tenue d'autres conférences préparatoires au procès requiert une ordonnance du tribunal.

Procès

12. Le procès débute au plus tard le *(inscrire la date qui suit de trois ans le jour premier)*.

Date : ..... Signée par : .....
(juge)

Adresse du greffe : .....

.....

.....

Règl. de l'Ont. 443/90, formule 6.

FORM 7

CASE MANAGEMENT ORDER
(FAMILY VARIATION TRACK)

(General heading)

(Court seal)

CASE MANAGEMENT ORDER
(FAMILY VARIATION TRACK)

Notice of application

1. The applicant shall serve the notice of application, together with this case management order, the financial statement, if required, and all other documents to be used at the hearing in support of the application, on or before the (*insert date ten days after Day 1*), and file them with proof of service on or before the *(insert date seventeen days after Day 1)*.

Notice of appearance

2. The respondent shall serve the notice of appearance, affidavit in response and all other required documents within ten days after the date of service of the notice of application, and shall file them with proof of service within fifteen days after that date. After that time, the respondent may file the documents only with leave.

Service outside Ontario

3. If the respondent is served with the notice of application outside Ontario, the periods for serving and filing the notice of appearance are extended (by twenty days, in the case of service elsewhere in Canada or in the United States, or by forty days, in the case of service anywhere else) and the time for the hearing of the application shall be adjusted accordingly.

Documents for settlement conference

4. On or before the hearing date set out in the notice of application, every party shall file a one-page summary of the issues and a copy of the documents supporting the party's financial statement, if any.

Failure to file documents

5. If a party does not file the summary and supporting documents by the hearing date, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 6, immediately and regardless of the outcome of the proceeding, and fixing the date on which the party shall appear with counsel to explain the default to the court.

Costs

6. When a party is required to pay costs under paragraph 5 or 11, every opposing party who is separately represented by counsel is entitled to costs in the amount of $300. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

No examinations, cross-examinations or motions without leave before settlement conference

7. Before the hearing date, no party may examine, cross-examine or make a motion without leave.

Settlement conference

8. On the hearing date set out in the notice of application, there shall be a settlement conference presided over by a judge, a master or a person designated by the regional senior judge.

9. All parties, as well as counsel, shall attend the settlement conference, unless an order excusing a party is made before the hearing date.

Date and time of pre-trial conference

10. If no settlement is achieved at the settlement conference, the person presiding shall fix the date and time for a pre-trial conference (if he or she is of the opinion that a pre-trial conference is necessary), a date for the hearing of the application on the merits and a date after which no party may examine, cross-examine or make motions without leave. The person presiding may give all necessary directions, including a direction for the immediate trial of an issue.

Failure to comply with direction

11. If a party fails to comply with a direction given at the settlement conference, the registrar shall, unless the court orders otherwise, make an order requiring the party to pay costs in an amount determined in accordance with paragraph 6, immediately and regardless of the outcome of the proceeding, and fixing a date on which the party shall appear with counsel to explain the default to the court.

No further examinations, cross-examinations or motions without leave

12. After the relevant date fixed under paragraph 10, a party may examine, cross-examine or make motions only with the leave of the person who presided over the settlement conference.

Refusal of leave

13. If leave for a motion requiring leave is refused, the moving party shall, unless the person who presided orders otherwise, pay costs in an amount determined in accordance with paragraph 14, immediately and regardless of the outcome of the proceeding.

Costs

14. When a party is required to pay costs under paragraph 13, every opposing party who is separately represented by counsel is entitled to costs in the amount of $200. Two or more opposing parties who are represented by the same counsel are jointly entitled to costs in that amount.

Pre-trial conference

15. All parties, as well as counsel, shall attend the pre-trial conference, unless an order excusing a party is made before the date fixed for the pre-trial conference.

Who shall preside

16. The person who presided at the settlement conference shall also preside at the pre-trial conference, if any, but not at the hearing of the application.

Hearing on the merits

17. The hearing of the application shall begin on or before the (*insert date six months after Day 1*).

Date ..... Signed by .....
(Registrar)

Address of court office .....

.....

.....

O. Reg. 443/90, Form 7.

FORMULE 7

ORDONNANCE DE GESTION DE LA CAUSE (VOIE DES REQUÊTES EN MODIFICATION D'ORDONNANCES EN DROIT DE LA FAMILLE)

(titre)

(Sceau de la cour)

ORDONNANCE DE GESTION DE LA CAUSE
(VOIE DES REQUÊTES EN MODIFICATION D'ORDONNANCES EN DROIT DE LA FAMILLE)

IL EST ORDONNÉ CE QUI SUIT :

Avis de requête

1. Le requérant signifie l'avis de requête, ainsi que la présente ordonnance de gestion de la cause, l'état financier, s'il est requis, et tous les autres documents devant être utilisés à l'audience à l'appui de la requête, au plus tard le *(inscrire la date qui suit de dix jours le jour premier)*, et les dépose avec une preuve de leur signification au plus tard le *(inscrire la date qui suit de dix-sept jours le jour premier)*.

Avis de comparution

2. L'intimé signifie l'avis de comparution, l'affidavit contestant la requête et tous les autres documents requis dans les dix jours suivant la date de signification de l'avis de requête, et les dépose avec une preuve de leur signification dans les quinze jours suivant cette date. Passé ce délai, l'intimé ne peut déposer les documents que sur autorisation.

Signification en dehors de l'Ontario

3. Si l'avis de requête est signifié à l'intimé en dehors de l'Ontario, les délais impartis pour signifier et déposer l'avis de comparution sont prorogés (de vingt jours, si la signification est faite ailleurs au Canada ou aux États-Unis, ou de quarante jours, si la signification est faite n'importe où ailleurs) et la date d'audition de la requête est rajustée en conséquence.

Documents destinés à la conférence en vue d'une transaction

4. Avant la date d'audience indiquée dans l'avis de requête, chaque partie dépose un résumé d'une page des questions en litige et, éventuellement, une copie des documents à l'appui de son état financier.

Défaut de déposer des documents

5. Si une partie ne dépose pas de résumé ni de documents justificatifs au plus tard à la date d'audience, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 6, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Dépens

6. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 5 ou 11, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 300 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Autorisation requise pour les interrogatoires, contre-interrogatoires ou motions avant la conférence en vue d'une transaction

7. Avant la date d'audience, nulle partie ne peut procéder à un interrogatoire ou à un contre-interrogatoire ni présenter une motion sans autorisation.

Conférence en vue d'une transaction

8. À la date d'audience indiquée dans l'avis de requête, il doit se tenir une conférence en vue d'une transaction présidée par un juge, un protonotaire ou une personne désignée par le juge principal régional.

9. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence en vue d'une transaction, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date d'audience.

Date et heure de la conférence préparatoire au procès

10. Si aucune transaction n'est atteinte au cours de la conférence prévue à cette fin, la personne qui préside fixe les date et heure de la conférence préparatoire au procès (s'il est d'avis qu'une conférence préparatoire au procès est nécessaire), une date d'audition de la requête sur le fond, ainsi qu'une date après laquelle nulle partie ne peut procéder à un interrogatoire ou à un contre-interrogatoire ni présenter des motions sans autorisation. La personne qui préside peut donner toutes les directives nécessaires, y compris une directive prescrivant l'instruction immédiate d'une question en litige.

Inobservation d'une directive

11. Si une partie n'observe pas une directive donnée lors de la conférence en vue d'une transaction, le greffier, à moins que le tribunal n'en ordonne autrement, rend une ordonnance exigeant de la partie le paiement d'un montant à titre de dépens déterminé conformément à la disposition 6, immédiatement et indépendamment de l'issue de l'instance, et fixant une date à laquelle la partie doit comparaître avec son avocat pour exposer les raisons de son omission au tribunal.

Aucun autre interrogatoire, contre-interrogatoire ou aucune motion possible sans autorisation

12. Passé la date pertinente, fixée aux termes de la disposition 10, une partie ne peut procéder à un interrogatoire ou à un contre-interrogatoire ou présenter des motions que sur autorisation de la personne qui a présidé la conférence en vue d'une transaction.

Refus d'autorisation

13. En cas de refus d'autoriser la présentation d'une motion, l'auteur de la motion paie un montant à titre de dépens déterminé conformément à la disposition 14, immédiatement et indépendamment de l'issue de l'instance, à moins que la personne qui a présidé n'en ordonne autrement.

Dépens

14. Lorsqu'une partie est tenue de payer les dépens prévus à la disposition 13, chaque partie adverse qui est représentée séparément par un avocat a droit au montant de 200 $ à titre de dépens. Si plusieurs parties adverses sont représentées par le même avocat, elles ont droit conjointement à ce montant à titre de dépens.

Conférence préparatoire au procès

15. Toutes les parties, ainsi que leur avocat, doivent assister à la conférence préparatoire au procès, à moins qu'une ordonnance en dispensant une partie ne soit rendue avant la date fixée pour la tenue de la conférence.

Présidence

16. La personne qui a présidé la conférence en vue d'une transaction préside également la conférence préparatoire au procès, le cas échéant, mais non l'audition de la requête.

Audition de la requête sur le fond

17. L'audition de la requête débute au plus tard le *(inscrire la date qui suit de six mois le jour premier)*.

Date : .....

Signée par : .....
(greffier)

Adresse du greffe : .....

.....

.....

Règl. de l'Ont. 443/90, formule 7.

REGULATION 190

MONEY PAID INTO COURT

1.—(1) Subject to subsection (2), money paid into the Ontario Court (General Division) shall be paid to the Accountant of the Ontario Court unless it is paid into the Small Claims Court.

(2) Money paid into the Ontario Court (General Division) in a proceeding under the *Landlord and Tenant Act* or the *Repair and Storage Liens Act* shall be paid to the local registrar of the Ontario Court (General Division) for the location where the proceeding was commenced, if the proceeding was commenced outside The Municipality of Metropolitan Toronto.

(3) Money paid into court in a proceeding referred to in subsection (2) that is not paid out after one year shall be transferred forthwith to the Accountant.

(4) The money paid into court and the securities in which it is invested are vested in,

(a) the Accountant of the Ontario Court if they are paid to or transferred to the Accountant; and

(b) the local registrar to whom they are paid otherwise.

(5) Mortgages and other securities taken under an order of the Ontario Court (General Division) shall be taken in the name of the Accountant of the Ontario Court and shall be deposited in the Accountant's office, unless an order provides otherwise.

(6) The Accountant has no duty or obligation in respect

instruments deposited under subsection (5) except as custodian of the instruments, unless an order provides otherwise. O. Reg. 295/90, s. 1.

2.—(1) The Deputy Attorney General or the person or persons designated by the Deputy Attorney General has control and management of the money in the Ontario Court (General Division), the investment of the money and the securities in which it is invested unless the money is paid into the Small Claims Court.

(2) Money that is available for investment shall be invested in investments in which the Treasurer of Ontario may invest public money under section 3 of the *Financial Administration Act.*

(3) The person who has control and management of money paid into court may employ a trust corporation to make the investments or act as custodian of the securities purchased as investments.

(4) Money paid or transferred to the Accountant shall bear interest at the rate of 11.5 per cent per year, compounded semi-annually. O. Reg. 295/90, s. 2.

REGULATION 191

NUMBER OF JUDGES

1. There shall be 183 judges of the Ontario Court (General Division) in addition to the Chief Justice of the Ontario Court, the Associate Chief Justice of the Ontario Court, the regional senior judges of the Ontario Court (General Division) and the Senior Judge for the Unified Family Court. O. Reg. 296/90, s. 1.

REGULATION 192

PART-TIME PROVINCIAL JUDGES AUTHORIZED TO PRACTISE LAW

1. The remuneration of a part-time judge, authorized by the Lieutenant Governor in Council under subsection 43 (1) of the Act, or a predecessor thereof, to devote part of his or her time to the practice of law, shall be $47,086 a year. O. Reg. 228/85, s. 1, *revised.*

2. Regulation 204 of Revised Regulations of Ontario, 1990 (Salaries and Benefits of Provincial Judges) and Regulation 193 of Revised Regulations of Ontario, 1990 (Provincial Judges Benefits) do not apply to judges mentioned in section 1. O. Reg. 228/85, s. 2.

REGULATION 193

PROVINCIAL JUDGES BENEFITS

1. In this Regulation,

"Account" means Provincial Judges Benefits Account under this Regulation;

"basic service requirement" means the basic service requirement set out in section 3;

"Board" means Provincial Judges Benefits Board under this Regulation;

"Chief Judge" means the Chief Judge of the Ontario Court (Provincial Division);

"child" has the same meaning as in the *Family Law Act*;

"Fund" means Provincial Judges Benefits Fund under this Regulation;

"income continuity payment" means income continuity payment under this Regulation;

"Long Term Income Protection Plan" means the Long Term Income Protection Plan under this Regulation;

"Plan" means the benefits plan set out in this Regulation;

"*Public Service Superannuation Act*" means the *Public Service Superannuation Act*, being chapter 419 of the Revised Statutes of Ontario, 1980;

"service" means service as a judge;

"spouse" has the same meaning as in Part III of the *Family Law Act*;

"*Superannuation Adjustment Benefits Act*" means the *Superannuation Adjustment Benefits Act*, being chapter 490 of the Revised Statutes of Ontario, 1980;

"Treasurer" means Treasurer of Ontario and Minister of Economics. O. Reg. 332/84, s. 1; O. Reg. 293/90, s. 1.

Income Continuity Payments

2.—(1) A judge who ceases to hold office or is serving on a part-time basis under section 44 of the Act is entitled to an annual income continuity payment during his or her lifetime if the judge meets the basic service requirement. O. Reg. 291/90, s. 1 (1).

(2) The amount of the income continuity payment for a judge is an amount equal to a percentage of the greatest of the following amounts that apply to the judge:

1. The salary of the Chief Judge, in the case of,
   i. a Chief Judge who, on or after attaining the age for retirement under subsection 44 (1) of the Act, ceased to hold office as a judge or made an election under subsection 45 (2) of the Act, or
   ii. a judge who held the office of Chief Judge and who held the office of Chief Judge, regional senior judge or Co-ordinator of Justices of the Peace for a total of five years or more.
2. The salary of a regional senior judge, in the case of,
   i. a regional senior judge or Co-ordinator of Justices of the Peace who, on or after attaining the age for retirement under subsection 44 (1) of the Act, ceased to hold office as a judge or made an election under subsection 45 (2) or (3) of the Act, or
   ii. a judge who held the office of regional senior judge or Co-ordinator of Justices of the Peace for five years or more.
3. The salary of the Chief Judge, in the case of a judge who held the office of chief judge before the 1st day of September, 1990.
4. 95.84 per cent of the salary of the Chief Judge, in the case of a judge who held the office of associate chief judge or Senior Master before the 1st day of September, 1990.
5. 93.34 per cent of the salary of the Chief Judge, in the case of a judge who held the office of senior judge before the 1st day of September, 1990.
6. The salary of a full-time provincial judge. O. Reg. 293/90, s. 2; O. Reg. 374/90, s. 1, *revised.*

(3) The percentage mentioned in subsection (2) is determined by locating the judge's age at the earlier of the date on which he or she ceased to hold office and the date he or she started to serve on a part-time basis in Column 1 of Table 1 and finding the percentage set out opposite that age in a column of Table 1 headed by the number of years of full-time service for which the judge has credit upon ceasing to hold office or starting to serve on a part-time basis. O. Reg. 291/90, s. 1 (2).

3. The basic service requirement to qualify for annual income continuity payments under this Regulation is that,

(a) the judge must have attained sixty-five years of age; and

(b) the sum of the number of years of full-time service for which the judge has credit and the judge's age on the date he or she ceases to hold office or starts to serve on a part-time basis must be at least eighty years. O. Reg. 291/90, s. 2.

4.—(1) A judge is entitled, upon ceasing to hold office or starting to serve on a part-time basis under section 44 of the Act, whichever occurs first, to an annual income continuity payment during his or her lifetime if he or she,

(a) is appointed to office after attaining sixty years of age but before attaining sixty-five years of age; and

(b) continues as a full-time judge until attaining seventy years of age. O. Reg. 291/90, s. 3 (1).

(2) The amount of the income continuity payment mentioned in subsection (1) is an amount equal to a percentage of the greatest of the amounts set out in paragraphs 1 through 6 of subsection 2 (2) that apply to the judge. O. Reg. 293/90, s. 3.

(3) If the judge attains seventy years of age before ceasing to hold office or starting to serve on a part-time basis, the percentage mentioned in subsection (2) is set out in Column 2 of Table 2 opposite the age at which the judge was appointed to office in Column 1. O. Reg. 291/90, s. 3 (2).

(4) For a judge mentioned in subsection (1) who attains more than seventy years of age before ceasing to hold office, the percentage determined in accordance with subsection (3) is increased by 1 per cent for each year that the judge serves on a full-time basis after attaining seventy years of age. O. Reg. 332/84, s. 4 (4).

(5) For the purposes of qualification for and computation of the amount of an annual income continuity payment of a judge appointed to office after attaining sixty years of age but before attaining sixty-five years of age,

(a) the period of time during which the judge is on leave of absence with pay or with partial pay shall be credited to the judge as full-time service; and

(b) the period of time during which the judge is receiving benefits under the Long Term Income Protection Plan shall be credited to the judge as full-time service. O. Reg. 332/84, s. 4 (5); O. Reg. 291/90, s. 3 (3).

5.—(1) A judge who has attained sixty-five years of age, has credit for at least five years of full-time service and ceases to hold office for the reason that the judge is unable to serve in office due to injury or chronic sickness is entitled to an annual income continuity payment during the judge's lifetime.

(2) The amount of the income continuity payment mentioned in subsection (1) is an amount equal to the amount the judge would have received if the judge had continued in office on a full-time basis until he or she attained seventy-five years of age. O. Reg. 332/84, s. 5.

6. A judge who is refused the approval of the Chief Judge to continue in office is entitled, if the Judicial Council expresses the opinion that the approval should not have been refused, to an annual income continuity payment in an amount equal to the amount the judge would have received if the judge had continued in office on a full-time basis from the date of the refusal until attainment of seventy-five years of age. O. Reg. 332/84, s. 6.

7. For the purposes of qualification for and computing the amount of an annual income continuity payment,

(a) the period of time during which a judge who is less than sixty-five years of age is on leave of absence with pay or with partial pay shall be credited to the judge as full-time service; and

(b) the period of time during which a judge is receiving benefits under the Long Term Income Protection Plan shall be credited to the judge as full-time service. O. Reg. 332/84, s. 7; O. Reg. 291/90, s. 4.

8. A computation of service or age that involves part of a year shall be made on a monthly basis and,

(a) a part of a month less than fifteen days shall be disregarded; and

(b) a part of a month not less than fifteen days shall be deemed to be a month. O. Reg. 332/84, s. 8; O. Reg. 335/87, s. 1.

9. A judge who ceases to hold office before attaining sixty-five years of age but who has credit for fifteen or more years of full-time service is entitled to a reduced annual income continuity payment computed in the same manner as if the judge had ceased to hold office at sixty-five years of age but reduced at the rate of 5 per cent times the number of years by which the judge is less than sixty-five years of age on the date when the judge commences to receive the reduced annual income continuity payment. O. Reg. 332/84, s. 9; O. Reg. 803/84, s. 1.

10.—(1) The amount of every annual income continuity payment shall be increased by a percentage equal to the percentage increase of the salary on which the amount of the income continuity payment is based. O. Reg. 293/90, s. 4.

(2) The increase in the income continuity payment shall take effect as of the same date that the increase in the salary to which it is related takes effect. O. Reg. 332/84, s. 10 (2).

11. For the year beginning on the 1st day of April of each year, the annual income continuity payment of a judge who is serving on a part-time basis under section 44 of the Act shall be reduced by the amount, if any, by which the sum of the amount the judge would otherwise be entitled to as an annual income continuity payment and the amount of remuneration the judge is entitled to for serving on a part-time basis exceeds the full-time salary of a judge of the same judicial rank. O. Reg. 291/90, s. 5.

SURVIVOR ALLOWANCES

12.—(1) The spouse of a judge who dies while in office and after having met the basic service requirement is entitled to an annual survivor allowance during the spouse's lifetime.

(2) The amount of the annual survivor allowance under this section is an amount equal to one-half of the annual income continuity payment that the judge would have received if the judge had continued in office on a full-time basis until he or she attained seventy-five years of age. O. Reg. 332/84, s. 11.

13.—(1) The spouse of a person who dies,

(a) while receiving an annual income continuity payment; or

(b) after ceasing to hold office as a judge and while entitled to receive an annual income continuity payment,

is entitled to an annual survivor allowance during the spouse's lifetime. O. Reg. 332/84, s. 12 (1).

(2) Where the deceased person was receiving an annual income continuity payment at the date of death, the amount of the annual survivor allowance under subsection (1) is an amount equal to one-half of the annual income continuity payment.

(3) Where the deceased person died before attaining sixty-five years of age and was receiving an annual income continuity payment at the date of death computed in the same manner as a superannuation allowance or an annuity under the *Public Service Superannuation Act*, the amount of the annual survivor allowance under subsection (1) shall be determined as if the deceased person had attained sixty-five years of age before dying.

(4) Where the deceased person was entitled to receive but was not receiving an annual income continuity payment at the date of death, the amount of the annual survivor allowance under subsection (1) is an amount equal to one-half of the annual income continuity payment that the deceased person would have been entitled to receive if the deceased person had attained sixty-five years of age before dying.

(5) Subsections (1) to (4) do not apply to the surviving spouse of a deceased person if they became spouses after the date on which the deceased person ceased to hold office. O. Reg. 803/84, s. 3.

14.—(1) The child or children of a person,

(a) who dies while receiving or entitled to an annual income continuity payment under this Regulation; and

(b) who is survived by a spouse who receives an annual survivor allowance under this Regulation in respect of the person,

are entitled upon the death of the spouse to an annual survivor allowance until the child or the youngest of the children attains eighteen years of age.

(2) The amount of the annual survivor allowance under this section is an amount equal to the amount of the annual survivor allowance to which the spouse of the deceased person was entitled after the death of the deceased person. O. Reg. 332/84, s. 14.

15.—(1) The child or children of a person who dies while receiving or entitled to an annual income continuity payment under this Regulation and who is not survived by a spouse are entitled to an annual survivor allowance until the child or the youngest of the children attains eighteen years of age.

(2) The amount of the annual survivor allowance under this section is an amount equal to the annual survivor allowance to which the spouse of the deceased person would be entitled under this Regulation if the deceased person were survived by a spouse. O. Reg. 332/84, s. 15.

(3) Subsections (1) and (2) do not apply in respect of a child of a deceased person and the spouse of the deceased person if they became spouses after the date on which the deceased person ceased to hold office. O. Reg. 803/84, s. 5.

16.—(1) The amount of every annual survivor allowance under this Regulation shall be increased by an amount equal to the amount by which a similar allowance would be increased under the *Superannuation Adjustment Benefits Act.*

(2) The increase in the annual survivor allowance shall take effect as of the same date that the increase in the similar allowance takes effect. O. Reg. 332/84, s. 16.

17. For the purpose of determining entitlement to a survivor allowance under this Regulation, a person who has attained the age of eighteen years but has not attained the age of twenty-five years and who is in full-time attendance at a school, college, university or other institution that is recognized by the Board as a place of higher education shall be deemed not to have attained the age of eighteen years. O. Reg. 332/84, s. 17.

18. No person is entitled to a survivor allowance under this Regulation in respect of a person in respect of whom a benefit is payable or paid under the group life insurance plan under section 33. O. Reg. 803/84, s. 6.

PAYMENTS AND ALLOWANCES—GENERAL

19. An annual income continuity payment shall commence,

(a) in the case of a person who is entitled to an annual income continuity payment after attaining sixty-five years of age, on the first day of the month next following the month in which the person entitled to the income continuity payment ceases to hold office or starts to serve on a part-time basis; or

(b) in the case of a person who is entitled to an annual income continuity payment before attaining sixty-five years of age,

(i) if the person elects to receive the payment before attaining sixty-five years of age, on the first day of the month next following the month in which the person makes the election, or

(ii) if the person does not elect to receive the payment before attaining sixty-five years of age, on the first day of the month next following the month in which the person attains sixty-five years of age. O. Reg. 803/84, s. 7; O. Reg. 291/90, s. 6.

20.—(1) A survivor allowance that is payable under this Regulation on the death of a person holding office as a judge shall commence as of the first day of the month next following the month in which the person dies.

(2) A survivor allowance that is payable under this Regulation on the death of a person in receipt of an income continuity payment or a survivor allowance under this Regulation shall commence as of the first day of the month next following the month in which the person dies. O. Reg. 332/84, s. 19.

21. An annual income continuity payment or survivor allowance is payable in monthly instalments. O. Reg. 332/84, s. 20.

22. Every income continuity payment or survivor allowance terminates as of the end of the month in which the event occurs that terminates the income continuity payment or survivor allowance. O. Reg. 332/84, s. 21.

23.—(1) Where a judge described in subsection (2) ceases to hold office and the Lieutenant Governor in Council is of the opinion that the ceasing to hold office was conducive to the better administration of justice, the Lieutenant Governor in Council may direct the Board to authorize payment to the judge,

(a) of an amount specified by the Lieutenant Governor in Council in addition to the refund of contributions to which the judge is entitled under this Regulation; or

(b) of an annual income continuity payment during the judge's lifetime in such initial amount as is specified by the Lieutenant Governor in Council,

and the Board shall comply with the direction.

(2) A judge mentioned in subsection (1) is one who does not meet the basic service requirement or, if appointed to office after attaining sixty years of age has not attained seventy years of age. O. Reg. 332/84, s. 22.

24. No person is entitled to payment of two income continuity

payments under this Regulation during the same month or other payment period. O. Reg. 332/84, s. 23.

CONTRIBUTIONS

25.—(1) Every judge shall contribute by deduction from salary an amount equal to 5.57 per cent of the judge's salary. O. Reg. 332/84, s. 24 (1); O. Reg. 270/85, s. 1 (1).

(2) Subsection (1) does not apply to require a judge to contribute in respect of any month following the month in which the judge meets the basic service requirement or attains seventy years of age.

(3) Contributions under subsection (1) shall be apportioned by the Board to provide for the survivor allowances and group life insurance benefits under this Regulation. O. Reg. 332/84, s. 24 (2, 3).

(4) The portions of contributions allocated to provide for survivor allowances shall be paid to the Fund.

(5) The portions of contributions allocated to provide for group life insurance benefits shall be paid to the Consolidated Revenue Fund. O. Reg. 270/85, s. 1 (2).

REFUNDS

26.—(1) The personal representative of a judge who dies either before or after ceasing to hold office is entitled to a refund of amounts contributed to the Fund by the judge in the circumstances described in subsection (2) and in an amount computed in accordance with subsection (3).

(2) The circumstances referred to in subsection (1) are,

(a) that no survivor allowance is payable under this Regulation on the death of the judge; or

(b) that all survivor allowances payable under this Regulation consequent upon the death of the judge have been fully paid. O. Reg. 332/84, s. 25 (1, 2).

(3) Subject to subsection (4), the amount of the refund to the personal representative is an amount equal to the aggregate of,

(a) that portion of the judge's contributions under this Regulation allocated to the provision of an annual survivor allowance to the judge's surviving spouse and children, with interest on each amount allocated from the date it was contributed to the end of the month in which the judge died or the last survivor allowance was payable, whichever is later; and

(b) the amount, if any, contributed by the judge before the 1st day of July, 1984 to the Public Service Superannuation Fund and transferred from that Fund to the Fund under this Regulation, including the interest that was transferred in respect of that amount, with interest from the 1st day of July, 1984 to the end of the month in which the judge died or the last survivor allowance was payable, whichever is later,

reduced by an amount equal to the aggregate of,

(c) the amount of the survivor allowances, if any, paid under this Regulation consequent upon the death of the judge; and

(d) interest on the amounts of the survivor allowances from the dates the allowances were paid to the end of the month in which the judge died or the last survivor allowance was payable, whichever is later. O. Reg. 270/85, s. 2; O. Reg. 335/87, s. 2 (1).

(4) Where the judge received income continuity payments paid under this Regulation, the amount described in clause (3) (b) shall be reduced by an amount equal to the aggregate of,

(a) the amount of the income continuity payments; and

(b) interest on the amounts of the income continuity payments from the dates the payments were made to the end of the month in which the judge died. O. Reg. 335/87, s. 2 (2).

27. A judge who ceases to hold office for a reason other than death before becoming entitled to an income continuity payment under this Regulation is entitled to a refund of that portion of the judge's contributions under this Regulation allocated to the provision of an annual survivor allowance to the judge's surviving spouse and children with interest on each amount allocated for the period of time the amount was credited to the judge. O. Reg. 332/84, s. 26.

28. The portion of contributions under this Regulation that is allocated to other than the provision of an annual survivor allowance is not refundable under this Regulation. O. Reg. 332/84, s. 27.

29. No person is entitled to payment of a refund if the person is entitled to an annual income continuity payment. O. Reg. 332/84, s. 28.

SICKNESS OR INJURY

30.—(1) A judge who is unable to attend to his or her duties due to sickness or injury is entitled to leave of absence with regular salary for 130 working days in each year.

(2) A judge is not entitled to leave of absence with pay under this section until after completion of twenty consecutive working days in office.

(3) A judge is not entitled to a leave of absence with pay under this section for more than 130 working days commencing in one year and continuing into the next following year.

(4) A judge who was on leave of absence with pay under this section for 130 working days is not entitled to a further leave of absence with pay under this section until after completion of twenty consecutive working days in office. O. Reg. 332/84, s. 29.

31.—(1) The Crown may enter into an agreement with an insurance underwriter for the purpose of providing judges a long term income protection plan.

(2) The Long Term Income Protection Plan shall provide 66⅔ per cent of the regular salary of a judge who,

(a) is totally disabled;

(b) is under the care of or is receiving treatment from a legally qualified medical practitioner; and

(c) is not, except for the purpose of rehabilitation, engaged in any occupation or employment for which he or she receives a wage or profit,

commencing immediately after a qualifying period of six continuous months of total disability and continuing until the earliest of,

(d) termination of the total disability;

(e) death; or

(f) the end of the month in which the judge attains the age of sixty-five years. O. Reg. 332/84, s. 30 (1, 2).

(3) The benefit referred to in subsection (2) of 66⅔ per cent of the regular salary of a full-time judge,

(a) shall be computed with reference to the regular salary of a

full-time judge of equal rank as of the date of each payment of the benefit; and

(b) shall be reduced by an amount equal to the total of,

(i) any retirement or disability benefits payable to the judge under the *Canada Pension Plan*,

(ii) any disability benefits payable to the judge under any workers' compensation legislation, and

(iii) any annual income continuity payments payable to the judge under this Regulation. O. Reg. 803/84, s. 8 (1); O. Reg. 270/85, s. 3.

(4) Except as stated in this section, the benefits provided to judges under the Long Term Income Protection Plan shall be those set out in the agreement made with the insurance underwriter.

(5) The Crown shall pay 85 per cent of the premiums for the Long Term Income Protection Plan and each judge who participates in the Long Term Income Protection Plan shall contribute to the payment of the balance of the premiums by deduction from salary of an amount that is in the same proportion to the balance of the premiums as the judge's salary is to the aggregate of the salaries of all the judges who participate in the Long Term Income Protection Plan. O. Reg. 332/84, s. 30 (4, 5).

(6) Every judge must participate in the Long Term Income Protection Plan.

(7) Subsection (6) does not apply to a judge who was appointed to office before the 1st day of July, 1984 and who did not participate in the Long Term Income Protection Plan under the *Public Service Act*. O. Reg. 803/84, s. 8 (2).

(8) In this section, "total disability" means,

(a) during the qualifying period and the first twenty-four months of the period in respect of which benefits may be paid, the continuous inability, as the result of illness or injury, to perform any and every duty of a judge; and

(b) during the balance of the period in respect of which benefits may be paid, the inability, as the result of sickness or injury, to perform any and every duty of any gainful occupation for which the person is reasonably fitted by education, training or experience,

and "totally disabled" has a corresponding meaning. O. Reg. 332/84, s. 30 (6).

MATERNITY LEAVE

32.—(1) In this section,

"last day at work", in relation to a judge on leave of absence referred to in subsection (2), means the last day the judge was at work before the leave of absence;

"weekly pay", in relation to a judge on leave of absence referred to in subsection (2), means weekly pay at the rate actually received by the judge on the last day at work and includes any salary increase that is granted after the last day at work to take effect retroactively on or before the last day at work.

(2) A judge who is pregnant and who has completed one year of service, including service as a Crown employee immediately before appointment as a judge, is entitled to the leave of absence provided for in Part XI of the *Employment Standards Act* without pay and without accumulation of credits.

(3) A judge on leave of absence referred to in subsection (2) is entitled to an allowance of,

(a) for the first two weeks of the leave of absence, an amount equal to 93 per cent of the judge's weekly pay; and

(b) for each week of the leave of absence after the first two weeks, to a maximum of fifteen weeks, an amount equal to the difference between 93 per cent of the judge's weekly pay and the maternity benefits under the *Unemployment Insurance Act* (Canada) that the judge would receive for the week if the judge applied for and was eligible to receive benefits under the *Unemployment Insurance Act* (Canada) in respect of pregnancy.

(4) The Crown shall continue to pay the premiums for the group insurance coverages for a judge who is entitled to the allowance referred to in subsection (3) that the Crown was paying for the judge immediately before the leave of absence.

(5) Subsection 71 (2) of Regulation 977 of Revised Regulations of Ontario, 1990 does not apply in respect of a judge referred to in subsection (4).

(6) A judge on leave of absence referred to in subsection (2), upon application in writing to the Chief Judge at least four weeks before the expiry of the leave of absence, is entitled to a consecutive leave of absence without pay for not more than six months. O. Reg. 335/87, s. 3.

GROUP LIFE INSURANCE

33.—(1) The Crown shall enter into an agreement with an insurance underwriter to provide a group life insurance plan for judges. O. Reg. 332/84, s. 31 (1).

(2) The group life insurance plan under this section shall provide to each judge, until the end of the month in which the judge meets the basic service requirement, ceases to hold office or attains seventy years of age, group life insurance coverage equal to five times the annual salary of the judge.

(3) The beneficiary of the group life insurance coverage of a judge under this section is the spouse, child or children who would have been entitled to a survivor allowance under the Plan if the judge had met the basic service requirement before dying.

(4) A judge may designate any person to be the beneficiary of the group life insurance coverage of the judge in the event that there is no person who meets the qualifications of a beneficiary under subsection (3). O. Reg. 270/85, s. 4.

(5) No part-time judge is eligible to participate in the group life insurance plan under this section. O. Reg. 803/84, s. 9.

34.—(1) The Crown shall enter into an agreement with an insurance underwriter to provide a reduced group life insurance plan for judges.

(2) The reduced group life insurance plan under this section shall provide to each judge who is not entitled to group life insurance coverage under section 33 group life insurance coverage of $2,000 until the end of the month in which the judge ceases to hold office.

(3) The reduced group life insurance plan under this section shall provide to each judge who has ceased to hold office, is receiving an annual income continuity payment and is not entitled to group life insurance coverage under section 33 or subsection (2), group life insurance coverage of $2,000, reducing to $1,750 on the 1st day of October next following the date the judge ceases to hold office and further reducing to $1,500 on the 1st day of the next following October. O. Reg. 803/84, s. 10, *part*.

BENEFITS GENERAL

35.—(1) Part VI of Regulation 977 of Revised Regulations of Ontario, 1990, except the sections or parts of sections mentioned in

subsection (2), applies with necessary modifications in respect of judges.

(2) The sections referred to in subsection (1) are:

1. Sections 59 and 60.
2. Sections 64 to 69.
3. Paragraphs 1 and 4 of subsection 71 (1).
4. Section 72.
5. Sections 75 and 76. O. Reg. 335/87, s. 4, *part.*

(3) For the purpose of subsection (1), a reference in Part VI of Regulation 977 of Revised Regulations of Ontario, 1990,

(a) to the "Commission" shall be deemed to be a reference to the Board; and

(b) to the "deputy minister" shall be deemed to be a reference to the Chief Judge. O. Reg. 122/90, s. 1 (2); O. Reg. 293/90, s. 5.

36. Where the Crown is paying all or part of the premiums for a judge who participates in one or more of the group plans provided for by section 24 or 25 or paragraph 2, 3, 5 or 6 of subsection 71 (1) of Regulation 977 of Revised Regulations of Ontario, 1990 and the judge receives benefits under the Long Term Income Protection Plan, the Crown shall continue the payments for the period in respect of which the judge is receiving the benefits. O. Reg. 332/84, s. 33.

37. Every person who is receiving an annual income continuity payment or an annual survivor allowance under this Regulation is entitled,

(a) to payment by the Crown of the person's premiums under the Ontario Health Insurance Plan;

(b) to the benefits of the Supplementary Health and Hospital Insurance Plan set out in section 77 of Regulation 977 of Revised Regulations of Ontario, 1990. O. Reg. 803/84, s. 10, *part.*

PROVINCIAL JUDGES BENEFITS BOARD

38.—(1) The Provincial Judges Benefits Board is continued. O. Reg. 332/84, s. 34 (1), *revised.*

(2) The Board shall be composed of three members who shall be appointed by the Lieutenant Governor in Council.

(3) Each member of the Board shall hold office for three years and until a successor is appointed.

(4) Each member of the Board is eligible for reappointment upon the expiration of his or her term of office.

(5) The Lieutenant Governor in Council shall designate a chair from among the members of the Board.

(6) Two members of the Board constitute a quorum and are sufficient for the exercise of all the authority of the Board. O. Reg. 332/84, s. 34 (2-6).

39. It is the duty of the Board to administer the Plan. O. Reg. 332/84, s. 35.

40. The Board shall make a report annually to the Minister of Government Services containing such information as the Minister requires and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next session. O. Reg. 803/84, s. 10, *part.*

PROVINCIAL JUDGES BENEFITS FUND

41.—(1) The Provincial Judges Benefits Fund is continued. O. Reg. 332/84, 36 (1).

(2) The Fund shall consist of contributions and money paid, transferred or credited to the Fund, less money paid out under this Regulation.

(3) The Treasurer is the custodian of the Fund.

(4) The fiscal year of the Fund shall be the same as the fiscal year of the Consolidated Revenue Fund. O. Reg. 332/84, s. 36 (2-4).

(5) The Provincial Judges Benefits Fund Account in the accounts of Ontario is continued and all receipts and disbursements of the Fund shall be entered in the Account. O. Reg. 332/84, s. 36 (5), *revised.*

42. The Fund and the Account shall be audited by the Provincial Auditor who shall make an annual report to the Treasurer and the Treasurer shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next session. O. Reg. 332/84, s. 37.

43. No payment shall be made out of the Fund unless it is made or authorized by the Board. O. Reg. 332/84, s. 38.

44. Interest payable on amounts under this Regulation shall be compounded each year as of the 31st day of December at a rate for the year that is 1 per cent below the arithmetic average of the interest rates paid by the banks listed in Schedule I to the *Bank Act* (Canada) on non-chequable savings deposits for the twelve-month period ending on that day and, where interest is to be paid to a day prior to the 31st day of December in a year, interest shall be computed from the 1st day of January of the year at a rate that is 1 per cent below the arithmetic average of the interest rates paid by the banks listed in Schedule I to the *Bank Act* (Canada) on non-chequable savings deposits for the twelve-month period ending on the 31st day of December of the previous year. O. Reg. 270/85, s. 6.

APPLICATION AND TRANSITION

45.—(1) This Regulation applies, and the *Public Service Superannuation Act* does not apply, in respect of every judge who holds office on or after the 1st day of July, 1984.

(2) Subsection (1) does not apply in respect of a judge who was reappointed to hold office on a part-time basis before the 1st day of October, 1979. O. Reg. 332/84, s. 40.

46.—(1) A judge who was reappointed to hold office on a part-time basis on or after the 1st day of October, 1979 and before the 1st day of July, 1984 and continued in office on a part-time basis on or after the 1st day of July, 1984 and who was receiving a superannuation allowance under the *Public Service Superannuation Act* immediately before the 1st day of July, 1984 is entitled to an annual income continuity payment during his lifetime computed in the same manner as a superannuation allowance under that Act. O. Reg. 332/84, s. 41 (1), *revised.*

(2) Subsection (1) does not apply in respect of a judge mentioned in subsection (1) after the judge ceases to hold office or gives notice signed by the judge to the Board that the judge elects not to have subsection (1) apply to him or her. O. Reg. 332/84, s. 41 (2).

(3) Sections 30, 31 and 35 do not apply in respect of a judge mentioned in subsection (1) unless the judge gives to the Board the notice mentioned in subsection (2). O. Reg. 803/84, s. 11.

47.—(1) A judge to whom subsection 45 (1) applies and who was appointed to hold office or started to serve on a part-time basis

before the 1st day of July, 1984 is entitled, upon ceasing to hold office, either,

(a) to an annual income continuity payment computed under this Regulation, if the judge is entitled thereto under this Regulation other than this section; or

(b) to an annual income continuity payment computed in the same manner as a superannuation allowance or annuity, as the case requires, under the *Public Service Superannuation Act* as it was immediately before the 1st day of July, 1984, whichever will provide a greater annual payment to the judge. O. Reg. 803/84, s. 12 (1); O. Reg. 291/90, s. 7 (1).

(2) Computations for the purpose of subsection (1) shall be made as of the day the judge ceases to hold office or starts to serve on a part-time basis. O. Reg. 291/90, s. 7 (2).

(3) The initial amount of ân annual income continuity payment computed in the same manner as an annuity in accordance with clause (1) (b) shall be the same as the amount that would have been payable under the *Public Service Superannuation Act* and the *Superannuation Adjustment Benefits Act* as they existed immediately before the 1st day of July, 1984.

(4) An annual income continuity payment mentioned in subsection (3) shall commence on the same date as the annuity under the *Public Service Superannuation Act* would have commenced. O. Reg. 803/84, s. 12 (2).

48.—(1) This Regulation applies in respect of every person who ceased to hold office as a judge on or after the 1st day of October, 1979 and before the 1st day of July, 1984. O. Reg. 332/84, s. 43 (1), *revised.*

(2) Subsection (1) does not apply in respect of a judge who was reappointed to hold office on a part-time basis before the 1st day of October, 1979. O. Reg. 332/84, s. 43 (2).

(3) Subsection (1) does not apply in respect of a person mentioned in that subsection who died before the 1st day of July, 1984. O. Reg. 803/84, s. 13, *part.*

(4) Where a person to whom subsection (1) applies did not meet the basic service requirement before ceasing to hold office, the Lieutenant Governor in Council may direct the Board to authorize payment to the person of an annual income continuity payment during the person's lifetime in such initial amount as is specified by the Lieutenant Governor in Council, and the Board shall comply with the direction. O. Reg. 332/84, s. 43 (5).

49.—(1) A person to whom subsection 48 (1) applies is entitled either,

(a) to an annual income continuity payment computed under this Regulation, if the person is entitled thereto under this Regulation other than this section; or

(b) to an annual income continuity payment computed in the same manner as a superannuation allowance or annuity, as the case requires, under the *Public Service Superannuation Act* as it was immediately before the 1st day of July, 1984, whichever will provide a greater annual payment to the person.

(2) Computations for the purpose of subsection (1) shall be made as of the 1st day of July, 1984.

(3) The initial amount of an annual income continuity payment computed in the same manner as an annuity in accordance with clause (1) (b) shall be the same as the amount that would have been payable under the *Public Service Superannuation Act* and the *Superannuation Adjustment Benefits Act* as they existed immediately before the 1st day of July, 1984.

(4) An annual income continuity payment mentioned in subsection (3) shall commence,

(a) in the case of an annuity under the *Public Service Superannuation Act* that commenced to be paid before the 1st day of July, 1984, on the 1st day of July, 1984; or

(b) in the case of an annuity that would have commenced to be paid under the *Public Service Superannuation Act* after the 1st day of July, 1984, on the date that the annuity would have commenced to be paid under that Act. O. Reg. 803/84, s. 14, *part.*

50.—(1) A person who ceases to hold office before attaining sixty-five years of age and who is entitled to a reduced annual income continuity payment under section 9 and to whom section 47 applies may elect to receive an annual income continuity payment mentioned in clause 47 (1) (a) instead of an annual income continuity payment mentioned in clause 47 (1) (b).

(2) A person who ceased to hold office before attaining sixty-five years of age and who is entitled to a reduced annual income continuity payment under section 9 and to whom section 49 applies may elect to receive an annual income continuity payment mentioned in clause 49 (1) (a) instead of an annual income continuity payment mentioned in clause 49 (1) (b).

(3) Notice of an election under subsection (1) or (2) must be given in writing signed by the person to the Board within three months after commencing to receive an income continuity payment.

(4) An election under subsection (1) or (2) is effective as of the date the person commences to receive the annual income continuity payment.

(5) Subsections 14 (2), (3), (4) and (9) of the *Public Service Superannuation Act* as it was on the 1st day of July, 1984 apply with necessary modifications in respect of the annual income continuity payment of a person mentioned in subsection (1) or (2) who does not make an election under subsection (1) or (2) and for the purpose an annual income continuity payment shall be deemed to be an annual allowance. O. Reg. 803/84, s. 14, *part.*

51.—(1) The Board may enter into agreements with the Minister of the Crown responsible for the administration of the *Public Service Superannuation Act* to provide arrangements for the transfer of contributions and credits in respect of persons appointed as judges before the 1st day of July, 1984.

(2) Where money is transferred to the Fund in respect of contributions under the *Superannuation Adjustment Benefits Act* by a person who,

(a) on the 1st day of July, 1984, was a full-time judge; or

(b) ceased to hold office as a judge or began serving as a judge on a part-time basis on or after the 1st day of October, 1979 and before the 1st day of July, 1984 and was entitled, or would have been entitled if he or she had ceased to hold office, as of the 1st day of July, 1984 to an annual income continuity payment greater than the benefit that the person received or would have received under the *Public Service Superannuation Act*,

the Board shall authorize payment to the person of an amount equal to the unused portion, as of the 1st day of July, 1984, of the aggregate of the contributions by the person and the interest on the contributions under the *Superannuation Adjustment Benefits Act* represented by the transferred money.

(3) Where money is transferred to the Fund in respect of contributions under the *Superannuation Adjustment Benefits Act* by a person who ceased to hold office as a judge or began serving as a judge on a part-time basis on or after the 1st day of October, 1979 and before the 1st day of July, 1984 and is not entitled to a payment

under subsection (2), the person is entitled to have his or her annual income continuity payment increased annually,

(a) by an amount equal to the amount by which a similar pension would be increased under the *Superannuation Adjustment Benefits Act*, instead of by the amount determined under subsection 10 (1); or

(b) by the amount determined under subsection 10 (1),

for as long as the person receives an annual income continuity payment computed in the same manner as a superannuation allowance or annuity under the *Public Service Superannuation Act* as it was immediately before the 1st day of July, 1984.

(4) A person mentioned in subsection (3) is not entitled to an increase under that subsection unless the person gives notice signed by the person to the Board before the 1st day of July, 1985 as to which of clause (a) or (b) of that subsection the person elects to have apply to him or her.

(5) An election under subsection (4) is effective as of the 1st day of July, 1984.

(6) Where a person elects to have clause (3) (b) apply to him or her, the Board shall authorize payment to the person of an amount equal to the unused portion, as of the date the first increase is payable, of the aggregate of the contributions by the person and the interest on the contributions under the *Superannuation Adjustment Benefits Act* represented by the money transferred to the Fund under arrangements made under subsection (1).

(7) Where money is transferred to the Fund under subsection (1) in respect of a person who has not received a benefit under the *Public Service Superannuation Act*, the Board upon a written request signed by the person shall authorize payment to the person of an amount specified or identified in the request and not exceeding the aggregate of the amount of the contributions by the person directly to the Public Service Superannuation Fund apart from amounts the person was required to contribute under the *Public Service Superannuation Act* and the interest on the contributions under that Act.

(8) Subsection (7) applies only in respect of written and signed requests made to the Board before the 1st day of July, 1985.

(9) Where the amount specified or identified in a request mentioned in subsection (7) is less than the full amount that the person is entitled to under subsections (7) and (8), the Board must authorize payment of amounts related to the earliest period or periods of service before amounts related to a later period or periods of service.

(10) A person in respect of whom credit for years of service is transferred to the Plan shall be given credit in the Plan for a number of years of full-time service as a judge equal to the number of years of service for which credit is transferred.

(11) There shall be deducted from the credit for service of a person in the Plan a number of years of service equal to the number of years of service in relation to which the person has taken a return of contributions from the Fund under subsection (7). O. Reg. 803/84, s. 15, *part.*

(12) Where money has been transferred to the Fund under subsection (1) in respect of a person, the Board upon a written request signed by the person shall authorize payment to the person of an amount specified or identified in the request not exceeding the maximum amount computed in accordance with the following formula:

$$M = T + P + I - R$$

where,

M = maximum amount of payment that may be authorized,

T = the amount transferred to the Public Service Superannuation Fund from another pension plan attributable to contributions made by the person, but not the person's employer, to the other plan,

P = where the person has not received a benefit under the *Public Service Superannuation Act*, $0, or where the person has received a benefit under the *Public Service Superannuation Act*, the amount of the contributions by the person directly to the Public Service Superannuation Fund apart from amounts the person was required to contribute under the *Public Service Superannuation Act,*

I = interest earned by the amounts represented by T and P under the *Public Service Superannuation Act,*

R = the amount by which benefits received by the person under the *Public Service Superannuation Act* and this Regulation exceed the amount that the person would have received had the amounts represented by T and P not been paid or transferred to the Public Service Superannuation Fund.

(13) Subsection (12) applies only in respect of written and signed requests made to the Board before the 1st day of January, 1988.

(14) Where the amount specified or identified in a request mentioned in subsection (12) is less than the full amount that the person is entitled to, the Board must authorize payment of amounts related to the earliest period or periods of service before amounts related to a later period or periods of service.

(15) There shall be deducted from the credit for service of a person in the Plan a number of years of service equal to the number of years of service in relation to which the person has taken a refund from the Fund under subsection (12).

(16) Interest shall be paid on amounts paid under subsection (12) commencing the 1st day of July, 1984 to the date of payment. O. Reg. 696/86, s. 1.

(17) A judge who was making additional contributions under the *Public Service Superannuation Act* in addition to the contributions the judge was required to make under that Act may continue to make such additional contributions to the fund according to the same method of computation as under the *Public Service Superannuation Act* and is entitled to credit in the Plan in respect of the contributions.

(18) Where interest is to be paid on a refund of contributions under subsection (17), the amount of the interest shall be computed on the same basis as interest is computed under subsection (17).

(19) Subsections (7) to (11) apply with necessary modifications in respect of contributions under subsection (17). O. Reg. 803/84, s. 15, *part.*

(20) Interest shall be paid on amounts paid under subsection (2), (6) or (7) commencing the 1st day of July, 1984 to the date of payment.

(21) Interest shall be paid on a refund of contributions under subsection (17) commencing on the date the amount was paid into the Fund to the date of payment of the refund. O. Reg. 270/85, s. 7.

52.—(1) A judge mentioned in section 27 who was appointed to hold office before the 1st day of July, 1984 is also entitled to a refund of an amount equal to the aggregate of the amounts, if any, contributed by the judge to the Public Service Superannuation Fund and the interest thereon transferred from that Fund to the Fund under this Regulation less any amounts paid to the judge under subsection 51 (7) or (12), together with interest on such aggregate amount from the date of the transfer to the end of the month in which the judge ceased to hold office, but such amount shall not include an amount

equal to any amounts contributed to the Public Service Superannuation Fund by the judge and locked in in respect of service before the 1st day of July, 1984 under subsection 17 (2) of the *Public Service Superannuation Act*. O. Reg. 803/84, s. 15, *part*; O. Reg. 335/87, s. 5.

(2) Subsection (1) does not apply in respect of a judge who was appointed to office before the 1st day of July, 1984 and who receives an income continuity payment under this Plan computed in the same manner as under the *Public Service Superannuation Act*. O. Reg. 803/84, s. 15, *part*.

53.—(1) A person who,

(a) ceased to hold office as a judge before the 1st day of October, 1979; or

(b) was reappointed to hold office as a judge on a part-time basis before the 1st day of October, 1979,

and who met the basic service requirement before ceasing to hold office or being reappointed is entitled to an annual income allowance during the person's lifetime, computed as follows:

$$A = \frac{(P+S)\,F}{P} - (P+S)$$

where,

A = annual income allowance,

F = 45 per cent of the person's last regular annual salary before ceasing to hold office or being reappointed as a judge,

P = the person's annual superannuation allowance to which the person is entitled under the *Public Service Superannuation Act*,

S = the superannuation adjustment benefit payable to the person in the year in which this Regulation comes into force.

O. Reg. 332/84, s. 45 (1); O. Reg. 270/85, s. 8.

(2) Where a person,

(a) ceased to hold office as a judge before the 1st day of October, 1979; or

(b) was reappointed to hold office as a judge on a part-time basis before the 1st day of October, 1979,

and did not meet the basic service requirement before ceasing to hold office or being reappointed, the Lieutenant Governor in Council may direct the Board to authorize payment to the person of an annual income allowance during the person's lifetime in such initial amount as is specified by the Lieutenant Governor in Council, and the Board shall comply with the direction.

(3) The provisions of this Regulation respecting survivor allowances apply with necessary modifications in respect of a person entitled to an annual income allowance under subsection (1) or (2) and for the purpose the annual income allowance shall be deemed to be an annual income continuity payment.

(4) Every annual income allowance under subsection (1) or (2) shall be increased by an amount equal to the superannuation adjustment benefit or the increase in the superannuation adjustment benefit which would be payable under the *Superannuation Adjustment Benefits Act* if the annual income allowance were a pension to which that Act applies.

(5) The increase in the annual income allowance shall take effect as of the same date that the superannuation adjustment benefit or the increase in the superannuation adjustment benefit would take effect. O. Reg. 332/84, s. 45 (2-5).

TABLE 1

	Percentage of Salary					
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Age attained before ceasing to hold office or starting to serve on a part-time basis	15 or more Years of Service	14 Years of Service	13 Years of Service	12 Years of Service	11 Years of Service	10 Years of Service
65	45	—	—	—	—	—
66	46	46	—	—	—	—
67	47	47	47	—	—	—
68	48	48	48	48	—	—
69	49	49	49	49	49	—
70	50	50	50	50	50	50
71	51	51	51	51	51	51
72	52	52	52	52	52	52
73	53	53	53	53	53	53
74	54	54	54	54	54	54
75	55	55	55	55	55	55

O. Reg. 332/84, Table 1; O. Reg. 291/90, s. 8.

TABLE 2

COLUMN 1	COLUMN 2
Age at Appointment	Percentage of Salary
60	45
61	40
62	35
63	30
64	25

O. Reg. 332/84, Table 2.

REGULATION 194/RÈGLEMENT 194

RULES OF CIVIL PROCEDURE/ RÈGLES DE PROCÉDURE CIVILE

See/*Voir* Volume 9

REGULATION 195

RULES OF THE COURT OF APPEAL IN APPEALS UNDER THE PROVINCIAL OFFENCES ACT

1. In these rules,

"Court" means the Court of Appeal;

"file" means file with or deliver to the Registrar;

"Registrar" means the Registrar of the Court. R.R.O. 1980, Reg. 818, r. 1.

2. These rules apply in respect of appeals to the Court under sections 131 and 139 of the *Provincial Offences Act*. R.R.O. 1980, Reg. 818, r. 2, *revised*.

3. The following apply to the calculation of a period of time prescribed by the *Provincial Offences Act*, these rules or an order of the Court:

1. The time shall be calculated by excluding the first day and including the last day of the period.

2. Where a period of less than six days is prescribed, a Saturday or holiday shall not be reckoned.

3. Where the last day of the period of time falls on a Saturday or a holiday, the day next following that is not a Saturday or a holiday shall be deemed to be the last day of the period.

4. Where the days are expressed to be clear days or where the term "at least" is added, the time shall be calculated by excluding both the first day and the last day of the period. R.R.O. 1980, Reg. 818, r. 3, *revised*.

4.—(1) A notice or document given or delivered by mail shall, unless the contrary is shown, be deemed to be given or delivered on the seventh day following the day on which it was mailed. R.R.O. 1980, Reg. 818, r. 4 (1).

(2) Where, on motion without notice, a judge of the Court is satisfied that reasonable efforts have been made without success to give or deliver a notice or document in the manner required by these rules or the *Provincial Offences Act*, or that reasonable efforts would not be successful, the judge by order may authorize substituted service of the notice or document in such manner as the judge directs or may dispense with the giving or delivery of the notice or document upon such terms as the judge considers proper in the circumstances. R.R.O. 1980, Reg. 818, r. 4 (2), *revised*.

5.—(1) Every notice or document,

(a) shall be printed, typewritten, written or reproduced legibly upon one side of good quality paper eleven inches by eight and one-half inches with a margin upon the left-hand side; and

(b) other than an affidavit, order or judgment, shall have a single space between lines and a triple space between paragraphs.

(2) An affidavit, order or judgment shall have a double space between lines. R.R.O. 1980, Reg. 818, r. 5.

6.—(1) A motion for leave to appeal shall be commenced by filing and giving notice of motion. R.R.O. 1980, Reg. 818, r. 6 (1), *revised*.

(2) A motion for leave to appeal shall be made returnable not later than ten days after the date on which the notice of motion is filed. R.R.O. 1980, Reg. 818, r. 6 (2), *revised*.

(3) A person who makes a motion for leave to appeal shall file and give notice of motion,

(a) where the defendant is the moving party,

(i) to the prosecutor,

(ii) if the prosecution is not acting on behalf of the Crown, to the Attorney General; and

(b) where the prosecutor is the moving party,

(i) to the defendant, and

(ii) if the prosecutor is not acting on behalf of the Crown, to the Attorney General,

within fifteen days after the date of the judgment sought to be appealed from. R.R.O. 1980, Reg. 818, r. 6 (3), *revised*.

(4) A motion for leave to appeal shall be made returnable before a judge of the Court in chambers. R.R.O. 1980, Reg. 818, r. 6 (4), *revised*.

(5) A notice of motion referred to in subrule (1) shall set out clearly the special grounds upon which leave to appeal is sought and,

(a) any question of law upon which the appeal is sought to be founded; and

(b) where the appeal is as to sentence, the basis for the appeal. R.R.O. 1980, Reg. 818, r. 6 (5).

(6) The moving party shall file in support of the motion for leave to appeal,

(a) any transcript of the proceeding that is available, including a transcript of evidence at trial, reasons for judgment or sentence at trial and reasons for the judgment sought to be appealed from;

(b) the proposed notice of appeal; and

(c) any report prepared under the authority of an order made during the course of the proceeding,

and may file any other material that is relevant to the motion. R.R.O. 1980, Reg. 818, r. 6 (6), *revised*.

7.—(1) A person seeking leave to appeal who is in custody and who is not represented by counsel may deliver a notice of motion for leave to appeal in Form 6 to a senior official of the institution in which the person is held in custody. R.R.O. 1980, Reg. 818, r. 7 (1), *revised*.

(2) Rule 6 does not apply in respect of a person referred to in subrule (1) who commences a motion for leave to appeal by delivery in accordance with subrule (1) within fifteen days after the date of the judgment sought to be appealed from. R.R.O. 1980, Reg. 818, r. 7 (2), *revised*.

(3) The Registrar shall transmit to the Attorney General a copy of a notice of motion for leave to appeal filed by an official of an institution referred to in subrule (1). R.R.O. 1980, Reg. 818, r. 7 (3), *revised*.

8.—(1) The Registrar, by a direction in writing,

(a) may set the time and date on which a notice of motion for leave to appeal filed in Form 6 is returnable;

(b) may change the date on which any motion for leave to appeal is returnable; and

(c) may direct that any motion for leave to appeal be returnable in court. R.R.O. 1980, Reg. 818, r. 8 (1), *revised*.

(2) The Registrar shall give notice of a direction under subrule (1) to each of the parties to the motion. R.R.O. 1980, Reg. 818, r. 8 (2), *revised*.

9. A notice of appeal shall be in Form 1. R.R.O. 1980, Reg. 818, r. 9.

10.—(1) Appeal books shall be bound front and back in 130M weight cover stock.

(2) Appeal books, other than those prepared by the Attorney General, shall be bound in buff coloured cover stock.

(3) Appeal books prepared by the Attorney General shall be bound in grey cover stock. R.R.O. 1980, Reg. 818, r. 10 (1-3).

(4) Every notice or document filed shall be endorsed with,

(a) the short title of the proceeding;

(b) the nature of the notice or document;

(c) the name of the solicitor acting for the party on whose behalf the document is filed; and

(d) the court file number. R.R.O. 1980, Reg. 818, r. 10 (4), *revised*.

11.—(1) An appellant shall commence the appeal by filing and giving notice of appeal,

(a) where the defendant is the appellant,

(i) to the prosecutor, and

(ii) if the prosecutor is not acting on behalf of the Crown, to the Attorney General; and

(b) where the prosecutor is the appellant,

(i) to the defendant, and

(ii) if the prosecutor is not acting on behalf of the Crown, to the Attorney General. R.R.O. 1980, Reg. 818, r. 11 (1).

(2) Subrule (1) does not apply to an appellant who is in custody, is not represented by counsel and commenced his or her motion for leave to appeal by delivery of a notice of motion for leave to appeal in Form 6 in accordance with subrule 7 (1). R.R.O. 1980, Reg. 818, r. 11 (2), *revised*.

12. An appellant shall commence the appeal within seven days after the date of the order granting leave to appeal. R.R.O. 1980, Reg. 818, r. 12.

13.—(1) Not later than twenty days after filing notice of appeal, the appellant shall deliver to each other party to the appeal a document with a certificate in Form 2 endorsed thereon and containing a list of the exhibits and items of evidence that, in the opinion of the appellant, are not necessary for the proper disposition of the appeal.

(2) Not later than ten days after the document mentioned in subrule (1) is delivered to a party to the appeal, the party shall deliver to the appellant a document with a certificate in Form 2 endorsed thereon and containing a list of the exhibits and items of evidence that, in the opinion of the party, are not necessary for the proper disposition of the appeal and a list of the exhibits and items of evidence that, in the opinion of the party, are necessary for the proper disposition of the appeal.

(3) A party to whom a document mentioned in subrule (1) is delivered and who does not comply with subrule (2) shall be deemed to agree with the list contained in the document.

(4) The appellant is not required to provide a transcript of any evidence or to include in the appeal book any exhibits that all parties to the appeal have agreed is not necessary for the proper disposition of the appeal.

(5) The purpose of this rule is to minimize the reproduction of exhibits and the transcription of evidence as much as possible without affecting the proper disposition of an appeal.

(6) The appellant shall include in the appeal book the certificates in Form 2 made by the parties to the appeal.

(7) Subrules (1) to (6) do not apply to a defendant, whether as appellant or respondent, who is in custody when the appeal is commenced. R.R.O. 1980, Reg. 818, r. 13.

14.—(1) The appellant shall file a certificate of the clerk of the Ontario Court (Provincial Division) in Form 3 not later than forty days after filing notice of appeal. R.R.O. 1980, Reg. 818, r. 14 (1), *revised*.

(2) An appellant who does not file a certificate of the clerk of the Ontario Court (Provincial Division) in Form 3 in accordance with subrule (1) or within such greater period of time as a judge of the Court may permit shall be deemed to have abandoned the appeal. R.R.O. 1980, Reg. 818, r. 14 (2), *revised*.

15.—(1) The appellant shall deliver copies of the appeal book and transcripts of evidence at trial including reasons for judgment or sentence as follows:

1. Three copies to the Registrar for the Court.

2. One copy to the respondent.

3. If the Attorney General is not the appellant or the respondent, one copy to the Attorney General.

(2) An appellant who does not deliver all copies of the appeal book and transcripts of evidence in accordance with subrule (1) shall be deemed to have abandoned the appeal. R.R.O. 1980, Reg. 818, r. 15.

16. The appellant shall include in the appeal book, in the order listed, the following:

1. An index.
2. A copy of the notice of appeal.
3. A copy of the information or the certificate of offence by which the proceeding was commenced.
4. A copy of the reasons for judgment or sentence at trial, if not included in the transcript of evidence at trial, and a copy of the reasons for judgment on the appeal under section 116 or 135 of the *Provincial Offences Act*.
5. A copy of the order granting leave to appeal.
6. A copy of any other order made by a judge of the Court in respect of the appeal.
7. Copies of any exhibits at trial that are capable of reproduction and are material to the issues in appeal. R.R.O. 1980, Reg. 818, r. 16, *revised*.

17.—(1) Where a notice of motion for leave to appeal has been filed, the Registrar shall deliver a copy of the notice of appeal to the clerk of the Ontario Court (Provincial Division) and, upon receipt of the notice of appeal the clerk shall transmit the order appealed from and transmit all other material in the clerk's possession or control relevant to the proceeding to the Registrar to be kept with the records of the Court of Appeal. R.R.O. 1980, Reg. 818, r. 17 (1), *revised*.

(2) Currency, valuable securities, jewellery, narcotics and things inherently dangerous (such as explosives) shall not be transmitted to the Registrar under subrule (1) except under the authority of an order of a judge of the Court. R.R.O. 1980, Reg. 818, r. 17 (2), *revised*.

18.—(1) In the first complete week of each month except June and July the Registrar shall compile a list in two parts of all appeals pending before the Court of Appeal under the *Provincial Offences Act* in which the transcript of evidence at trial including reasons for judgment or sentence and the reasons for judgment on the appeal under section 116 or 135 of the *Provincial Offences Act* have been filed.

(2) The Registrar shall include in Part I of the list the appeals referred to in subrule (1) that in the Registrar's opinion can be heard in the first two weeks of sittings of the Court of Appeal in the following month. R.R.O. 1980, Reg. 818, r. 18, *revised*.

19.—(1) The Registrar shall fix the date by which the appellant's statement of fact and law must be filed and shall enter the date in the notice in Form 4 for delivery to the appellant.

(2) The date fixed by the Registrar under subrule (1) must be at least ten days after the date of delivery to the appellant of the notice in Form 4.

(3) The Registrar shall include in Part II of the list the appeals referred to in subrule (1) that remain after compiling Part I of the list.

(4) The Registrar shall post the complete list in the Court of Appeal office as soon as it is compiled.

(5) At least three weeks before the first day of sittings in each month the Registrar shall deliver to each party to each appeal listed in Part I of the list compiled for the month,

(a) a copy of Part I of the list; and

(b) a notice in Form 4. R.R.O. 1980, Reg. 818, r. 19.

20.—(1) The appellant,

(a) shall deliver a copy of the appellant's statement of fact and law,

(i) to the respondent, and

(ii) if the Attorney General is not appellant or respondent, to the Attorney General; and

(b) shall file three copies of the appellant's statement of fact and law, not later than the date set out in the notice in Form 4 delivered by the Registrar.

(2) The respondent,

(a) shall deliver a copy of the respondent's statement of fact and law,

(i) to the appellant, and

(ii) if the Attorney General is not appellant or respondent, to the Attorney General; and

(b) shall file three copies of the respondent's statement of fact and law,

within seven days after the delivery of the appellant's statement of fact and law.

(3) When,

(a) the appellant does not deliver and file a statement of fact and law by the date set out in the notice in Form 4 delivered by the Registrar; or

(b) the respondent does not deliver and file a statement of fact and law within seven days after delivery of the appellant's statement of fact and law,

the parties to the appeal shall attend before the supervising judge of the Court at 10 a. m. on the first Wednesday after the statement of fact and law was required to be filed. R.R.O. 1980, Reg. 818, r. 20, *revised*.

21.—(1) The appellant and the respondent shall prepare their statements of fact and law in accordance with the following:

1. The statement of fact and law must be prepared in the form of numbered paragraphs.
2. The statement of fact and law must contain a concise statement of the points of fact and law to be presented.
3. Each point of fact or law must be accompanied by references to the transcript of evidence at trial and the authorities relied on.

(2) The respondent shall prepare the respondent's statement of fact and law in accordance with the following:

1. The statement of fact and law must state what portion of the appellant's statement of fact is accepted by the respondent as correct and what portion is disagreed with.
2. The statement of fact and law must contain a concise state-

ment of any facts relied on by the respondent that are additional to those set out by the appellant.

3. The statement of fact and law must set out concisely the position of the respondent with respect to the points of law presented by the appellant and any additional points of law to be presented by the respondent. R.R.O. 1980, Reg. 818, r. 21.

22.—(1) An appellant who wishes to abandon the appeal may file a notice of abandonment.

(2) The appellant or counsel for the appellant shall sign the notice of abandonment.

(3) Where the appellant signs the notice of abandonment, the notice must be signed by another person who witnessed the signing by the appellant.

(4) Where the witness is not counsel for the appellant, the appellant shall file an affidavit of execution by the witness with the notice of abandonment.

(5) A notice of abandonment shall be in Form 5.

(6) The Registrar shall give a copy of the filed notice of abandonment to each of the other parties to the appeal. R.R.O. 1980, Reg. 818, r. 22.

23. The court may dismiss an appeal where the appellant,

(a) does not attend in person or by counsel and has not indicated in the notice of appeal the appellant's intention not to be present in person or by counsel;

(b) has not delivered and filed the appellant's statement of fact and law by the date set out in the notice in Form 4 delivered by the Registrar; or

(c) has failed to comply with an order of the court in respect of the appeal. R.R.O. 1980, Reg. 818, r. 23.

24. The court shall not allow an appeal for the reason only that a respondent to the appeal,

(a) is not present in person or by counsel at the hearing of the appeal;

(b) has not delivered and filed the respondent's statement of fact and law within seven days after delivery of the appellant's statement of fact and law; or

(c) has failed to comply with an order of the court in respect of the appeal,

but the court may proceed to hear the appeal, even if the respondent is not present in person or by counsel. R.R.O. 1980, Reg. 818, r. 24.

25. Immediately after the disposition of an appeal, the Registrar shall give notice of the decision of the court, including any written reasons and endorsements made by the court,

(a) to each party to the appeal who was not present in person or by counsel when the decision was made; and

(b) to the clerk of the Ontario Court (Provincial Division). R.R.O. 1980, Reg. 818, r. 25, *revised*.

26.—(1) The following do not apply in respect of a moving party or appellant who is in custody, is not represented by counsel and commenced motion for leave to appeal by delivery of a notice of motion in Form 6:

1. Rules 12 to 16.

2. Rules 18 to 21. R.R.O. 1980, Reg. 818, r. 26 (1), *revised*.

(2) Where a motion for leave to appeal is commenced by delivery of a notice of motion in Form 6, the Court may request the Attorney General to prepare an appeal book and deliver to the Registrar three copies for the Court and one copy for the appellant. R.R.O. 1980, Reg. 818, r. 26 (2), *revised*.

(3) An appeal book prepared in accordance with a request under subsection (2) shall include, in the order listed, the following:

1. An index.

2. A copy of any report made under the authority of an order made during the course of the proceeding.

3. A copy of the information or the certificate of offence by which the proceeding was commenced.

4. Where the appeal is or includes an appeal as to sentence, the pre-sentence report, if any, and the record of previous convictions, if any, of the moving party.

5. A copy of the reasons for judgment or sentence at trial and a copy of the reasons for judgment on the appeal under section 116 or 135 of the *Provincial Offences Act*, if available. R.R.O. 1980, Reg. 818, r. 26 (3), *revised*.

Form 1

Courts of Justice Act

NOTICE OF APPEAL
UNDER SECTION 131 OR 139 OF
THE PROVINCIAL OFFENCES ACT

1. Appellant is

☐ Defendant

☐ Prosecutor

☐ Attorney General

2. Name of appellant: .....

Address for service: .....

.....

3. Counsel for appellant: .....

Name: .....

Address for service: .....

4. The appellant appeals against:

☐ conviction

☐ dismissal

☐ sentence

by the

☐ Ontario Court (Provincial Division)

at .....
(address of court)

☐ Ontario Court (General Division)

at .....
(address of court)

5. Decision appealed from:

.....

.....

6. Date of decision: .....

7. If defendant is in custody, place where held: .....

.....

8. Description of offence: .....

.....

9.—(1) Statute: .....

(2) Section: .....

10. Date of offence: .....

11. Plea at trial: .....

12. The relief sought is: .....

.....

13. The grounds of appeal are: .....

.....

14. The appellant intends:

☐ to appear and act by counsel and to present the issues and the appellant's arguments orally

☐ to appear and act in person and to present the issues and the appellant's arguments orally

☐ not to be present in person or by counsel and to present the issues and the appellant's arguments in writing

15. Date: .....

16. Signature of appellant or counsel: .....

R.R.O. 1980, Reg. 818, Form 401, *revised*.

Form 2

Courts of Justice Act

CERTIFICATE AS TO NECESSITY OF EVIDENCE AND EXHIBITS

In the Court of Appeal for Ontario

Name of appellant: .....

Name of respondent: .....

I, ... counsel for .....
(name)

the ..... (*or* the appellant or other party in person) in this appeal certify that in my opinion the evidence of the named witnesses and the numbered exhibits listed in the first part of this document are not necessary and the evidence of the named witnesses and the numbered exhibits listed in the second part of this document are necessary for the proper disposition of this appeal.

PART I

(List witnesses by name.
List exhibits by number.)

PART II

(List witnesses by name.
List exhibits by number.)

.....
(signature)

R.R.O. 1980, Reg. 818, Form 402, *revised*.

Form 3

Courts of Justice Act

CERTIFICATE OF CLERK OF ONTARIO COURT (PROVINCIAL DIVISION) AS TO TRANSCRIPT OF EVIDENCE

In the Court of Appeal for Ontario

1. Name of appellant: .....

Address for service: .....

.....

2. Counsel for appellant: .....

Name: .....

Address for service: .....

.....

3. I, ..., certify that:
(name)

(1) I am clerk of the Ontario Court (Provincial Division)

at .....

.....

(2) The appellant has ordered ..... copies of the transcript of evidence at the trial including reasons for judgment or sentence (except for the following portions, namely:

1. .....

2. .....

3. .....)

recorded at the trial of .....
(name of defendant)
held at the Ontario Court (Provincial Division) on

the ..... day of ....., 19.....

(3) I have accepted the order, will ensure that the transcript is prepared with reasonable diligence and will provide the number of copies ordered.

(4) When the transcript is completed I will obtain and attach to it a certificate by the person who prepared the transcript as to the accuracy of the transcription.

(5) When the transcript has been completed I will notify,

(a) the appellant;

(b) the respondent;

(c) the Registrar;

(d) if the Attorney General is not the appellant or the respondent, the Attorney General.

Dated at .....,

this ..... day of ....., 19.....

.....
(signature of clerk)

R.R.O. 1980, Reg. 818, Form 403, *revised*.

Form 4

Courts of Justice Act

NOTICE BY REGISTRAR

In the Court of Appeal for Ontario

1. Name of appellant: .....
2. Name of respondent: .....
3. This notice is delivered to:

   ☐ appellant ☐ respondent ☐ Attorney General

4. Enclosed with this notice is a copy of Part I of the list of appeals showing the appeals that may be heard in the first two weeks of next month.
5. This appeal is included in Part I of the list.
6. The appeal books in this appeal must be filed on or before the ..... day of ....., 19.....
7. The appellant's statement of fact and law must be filed on or before the ..... day of ....., 19.....
8. The respondent's statement of fact and law must be filed not later than seven days after delivery of the appellant's statement of fact and law.
9. If the appellant does not file a statement of fact and law by the date set out in paragraph 7, the appellant or counsel for the appellant must attend before the Supervising Judge at 10 a.m. on the first Wednesday after that date. No further notice will be given by the Registrar.
10. If you will be unable to proceed with this appeal in the first two weeks of next month, you must inform the Registrar forthwith of the reason for your inability to proceed.

Dated at Toronto, this ..... day of ....., 19.....

.....
Registrar, Court of Appeal for Ontario

R.R.O. 1980, Reg. 818, Form 404, *revised*.

Form 5

Courts of Justice Act

NOTICE OF ABANDONMENT OF APPEAL

BETWEEN .....
(appellant)

—AND—

.....
(respondent)

Take notice that the appellant has abandoned the appeal in respect of the following matter:

(describe charge against defendant, state the decision or sentence appealed from and the date of the decision)

Dated at ..... this ..... day of ....., 19.....

.....
(appellant or counsel for appellant)

.....
(witness)

R.R.O. 1980, Reg. 818, Form 405, *revised*.

Form 6

Courts of Justice Act

NOTICE OF MOTION FOR LEAVE TO APPEAL TO THE COURT OF APPEAL BY DEFENDANT IN CUSTODY AND NOT REPRESENTED BY COUNSEL

1. Name of person seeking leave to appeal: .....

   Address for service: .....

   .....

2. Name of responding party: .....

   Address for service: .....

   .....

3. The moving party is seeking leave to appeal under:

   ☐ section 131

   ☐ section 139

   of the *Provincial Offences Act* and requests the Registrar to set the time and date on which the motion is returnable.

4. The moving party is held in custody and is not represented by counsel.
5. The moving party seeks leave to appeal against:

   ☐ conviction

   ☐ sentence

   by the

   ☐ Ontario Court (Provincial Division)

   at .....
   (address of court)

☐ Ontario Court (General Division)

at .....
(address of court)

6. Decision appealed from:

.....

.....

7. Date of decision: .....

8. Place where moving party is held in custody:

.....

.....

9. Description of offence: .....

.....

10.—(1) Statute: .....

(2) Section: .....

11. Date of offence: .....

12. Plea at trial: .....

13. The relief sought is: .....

.....

14. The proposed grounds of appeal are:

.....

.....

15. The moving party intends:

☐ to appear and act in person and to present the issues and his or her arguments orally.

☐ not to be present in person or by counsel and to present the issues and his or her arguments in writing.

16. Date: ....
(signature of moving party)

R.R.O. 1980, Reg. 818, Form 406, *revised*.

REGULATION 196

RULES OF THE ONTARIO COURT (GENERAL DIVISION) AND THE ONTARIO COURT (PROVINCIAL DIVISION) IN APPEALS UNDER SECTION 116 OF THE PROVINCIAL OFFENCES ACT

1. In these rules,

"clerk" means the clerk of the Ontario Court (Provincial Division) or the local registrar of the Ontario Court (General Division) to which an appeal is or may be taken under Part VII of the *Provincial Offences Act*;

"file" means file with the clerk. R.R.O. 1980, Reg. 819, r. 1.

2. These rules apply in respect of appeals to the Ontario Court (General Division) or the Ontario Court (Provincial Division) under section 116 of the *Provincial Offences Act*. R.R.O. 1980, Reg. 819, r. 2.

3. These rules shall be constructed liberally so as to obtain as expeditious a conclusion of every proceeding as is consistent with a just determination of the proceeding. R.R.O. 1980, Reg. 819, r. 3.

4. The following apply to the calculation of a period of time prescribed by the *Provincial Offences Act*, these rules or an order of a court:

1. The time shall be calculated by excluding the first day and including the last day of the period.

2. Where a period of less than six days is prescribed, a Saturday or holiday shall not be reckoned.

3. Where the last day of the period of time falls on a Saturday or a holiday, the day next following that is not a Saturday or a holiday shall be deemed to be the last day of the period.

4. Where the days are expressed to be clear days or where the term "at least" is added, the time shall be calculated by excluding both the first day and the last day of the period. R.R.O. 1980, Reg. 819, r. 4.

5. A notice or document given or delivered by mail shall, unless the contrary is shown, be deemed to be given or delivered on the seventh day following the day on which it was mailed. R.R.O. 1980, Reg. 819, r. 5.

6. Where, on motion without notice, a judge is satisfied that reasonable efforts have been made without success to give or deliver a notice or document in the manner required by these rules or the *Provincial Offences Act*, or that reasonable efforts would not be successful, the judge by order may authorize substituted service of the notice or document in such manner as the judge directs or may dispense with the giving or delivery of the notice or document upon such terms as the judge considers proper in the circumstances. R.R.O. 1980, Reg. 819, r. 6.

7. A notice of appeal shall be in Form 1. R.R.O. 1980, Reg. 819, r. 7.

8. An appellant shall file and give notice of appeal,

(a) where the defendant is the appellant,

(i) to the prosecutor, and

(ii) if the prosecutor is not acting on behalf of the Crown, to the Crown Attorney; and

(b) where the prosecutor is the appellant,

(i) to the defendant, and

(ii) if the prosecutor is not acting on behalf of the Crown, to the Crown Attorney,

within thirty days after the date of the decision appealed from. R.R.O. 1980, Reg. 819, r. 8.

9.—(1) An appellant shall file proof of giving notice of appeal within ten days after the last day for service of notice of appeal.

(2) Proof of giving notice of appeal may be made by affidavit.

(3) Where admission of giving notice of appeal is endorsed on the notice, proof need not be made by affidavit. R.R.O. 1980, Reg. 819, r. 9.

10. An appellant shall file with notice of appeal a certificate of

the clerk of the Ontario Court (Provincial Division) in Form 2. R.R.O. 1980, Reg. 819, r. 10, *revised*.

11. A defendant who appeals from a decision imposing a fine shall file with the notice of appeal a receipt for payment of the fine issued by the clerk of the Ontario Court (Provincial Division) unless the clerk is satisfied that an order has been made under subsection 111 (2) of the *Provincial Offences Act* and a recognizance has been entered into by the defendant in accordance with the order. R.R.O. 1980, Reg. 819, r. 11, *revised*.

12.—(1) A recognizance under section 110 of the *Provincial Offences Act* shall be in Form 3.

(2) A recognizance under section 111 of the *Provincial Offences Act* shall be in Form 4. R.R.O. 1980, Reg. 819, r. 12.

13.—(1) A motion provided for by the *Provincial Offences Act* or these rules shall be commenced by notice of motion.

(2) There shall be at least three days between the giving of notice of motion and the day for hearing the motion.

(3) The moving party shall file notice of motion at least two days before the day for hearing the motion.

(4) Evidence on a motion may be given,

(a) by affidavit;

(b) with the permission of the court, orally; or

(c) in the form of a transcript of the examination of a witness.

(5) Upon the hearing of a motion and whether or not other evidence is given on the motion, the justice may receive and base his or her decision upon information the justice considers credible or trustworthy in the circumstances.

(6) A motion may be heard without notice,

(a) on consent; or

(b) where the motion is made under section 111 or 112 of the *Provincial Offences Act*; or

(c) where, having regard to the subject-matter or the circumstances of the motion, it would not be unjust to hear the motion without notice. R.R.O. 1980, Reg. 819, r. 13, *revised*.

14.—(1) Where a provisional legal aid certificate limited to the filing of notice of appeal and making a motion for release from custody has been issued under the *Legal Aid Act* to an appellant, the appellant is not required to file a certificate referred to in rule 10 until one month after filing notice of appeal.

(2) An appellant referred to in subrule (1) who does not file a certificate referred to in rule 10 within one month after filing notice of appeal or within such greater period of time as a judge may permit shall be deemed to have abandoned the appeal. R.R.O. 1980, Reg. 819, r. 14, *revised*.

15.—(1) The clerk of the appeal court shall send a copy of the notice of appeal to the clerk of the Ontario Court (Provincial Division) as the notice required by section 115 of the *Provincial Offences Act*.

(2) The clerk of the Ontario Court (Provincial Division) shall transmit the order appealed from and transmit or transfer custody of the other material referred to in section 115 of the *Provincial Offences Act* to the clerk of the appeal court within ten days after receiving the copy of the notice of appeal from the clerk of the appeal court. R.R.O. 1980, Reg. 819, r. 15, *revised*.

16.—(1) An appellant shall file one copy of the transcript of evidence at trial, including reasons for judgment or sentence if any, and shall deliver one copy to the respondent.

(2) Where the Crown Attorney has given notice of intervention after receiving notice of appeal, the appellant shall deliver a copy of the transcript of evidence at trial, including reasons for judgment or sentence if any, to the Crown Attorney. R.R.O. 1980, Reg. 819, r. 16.

17. Where a prosecutor is not acting on behalf of the Crown, the Crown Attorney may intervene to act on behalf of the prosecutor or to attend as a party on the appeal. R.R.O. 1980, Reg. 819, r. 17.

18.—(1) As soon as ten days have elapsed after,

(a) the clerk has received from the clerk of the Ontario Court (Provincial Division) the order appealed from and the other material referred to in section 115 of the *Provincial Offences Act*;

(b) the appellant has filed a copy of the transcript of evidence at trial, including reasons for judgment or sentence if any; and

(c) any other step required by the *Provincial Offences Act*, these rules or the court has been completed,

the clerk shall place the appeal on an appeal list for the next sitting of the court at which dates are fixed for hearing appeals. R.R.O. 1980, Reg. 819, r. 18 (1), *revised*.

(2) The clerk shall give at least fourteen days notice of the sitting referred to in subrule (1) to the appellant and the respondent and, where the Crown Attorney has filed notice of intervention, to the Crown Attorney. R.R.O. 1980, Reg. 819, r. 18 (2).

(3) Where a motion is made under section 127 of the *Provincial Offences Act* for an order that an appeal be heard and determined by way of a new trial in the court, the clerk shall not place the appeal on an appeal list under subrule (1) until the motion has been disposed of and ten days have elapsed since the disposition of the motion. R.R.O. 1980, Reg. 819, r. 18 (3), *revised*.

19. A party to an appeal may make a motion to the court at any time for directions with respect to the perfection of the appeal. R.R.O. 1980, Reg. 819, r. 19, *revised*.

20. A person making a motion for an order under section 127 of the *Provincial Offences Act* that an appeal be heard and determined by way of a new trial in the court shall give at least seven days notice of the motion to all other parties to the appeal. R.R.O. 1980, Reg. 819, r. 20, *revised*.

21. Unless a judge otherwise orders, a party to an appeal who intends to be present either personally or by counsel at the hearing of the appeal shall not file a statement of facts and law. R.R.O. 1980, Reg. 819, r. 21.

22. An appellant who intends not to be present in person or by counsel at the hearing of the appeal,

(a) except where the appellant has indicated the intention in the notice of appeal, shall file notice in writing of the intention; and

(b) shall file a statement in writing of the issues and the appellant's arguments on the appeal,

prior to the date fixed for the hearing. R.R.O. 1980, Reg. 819, r. 22.

23. The court may dismiss an appeal where the appellant,

(a) does not attend in person or by counsel and,

(i) has not indicated in the notice of appeal the appellant's intention not to be present in person or by counsel at the hearing of the appeal,

(ii) has not filed notice in writing of intention not to be present in person or by counsel at the hearing of the appeal, and

(iii) has not filed a statement in writing of the issues and the appellant's arguments on the appeal;

(b) has filed notice of abandonment;

(c) has not filed a transcript of evidence at trial, including reasons for judgment or sentence if any, within thirty days after receiving notice of completion of the transcription from the clerk of the Ontario Court (Provincial Division);

(d) after obtaining an order under subclause 117 (1) (b) (ii) of the *Provincial Offences Act* for the examination of a witness, has not filed a transcript of the examination within thirty days after receiving notice of completion of the transcription from the other person before whom the witness was examined; or

(e) has failed to comply with an order of the court in respect of the appeal. R.R.O. 1980, Reg. 819, r. 23, *revised*.

24. The court shall not allow an appeal for the reason only that a respondent to the appeal,

(a) is not present in person or by counsel at the hearing of the appeal;

(b) after obtaining an order under subclause 117 (1) (b) (ii) of the *Provincial Offences Act* for the examination of a witness, has not filed a transcript of the examination within thirty days after receiving notice of completion of the transcription from the judge, officer, justice of the peace or other person before whom the witness was examined; or

(c) has failed to comply with an order of the court in respect of the appeal,

but the court may proceed to hear the appeal, even if the respondent is not present in person or by counsel. R.R.O. 1980, Reg. 819, r. 24.

25.—(1) An appellant who wishes to abandon the appeal may file a notice of abandonment.

(2) The appellant or counsel for the appellant shall sign the notice of abandonment.

(3) Where the appellant signs the notice of abandonment, the notice must be signed by another person who witnessed the signing by the appellant.

(4) Where the witness is not counsel for the appellant, the appellant shall file an affidavit of execution by the witness with the notice of abandonment.

(5) A notice of abandonment shall be in Form 5.

(6) The clerk shall give a copy of the filed notice of abandonment to each of the other parties to the appeal. R.R.O. 1980, Reg. 819, r. 25.

26.—(1) An appeal under section 152 of the *Provincial Offences Act* in respect of release from custody shall be commenced by written notice filed and given to all other parties and, if the Crown Attorney is not a party, to the Crown Attorney.

(2) On an appeal under section 152 of the *Provincial Offences Act*, the court shall order that the defendant be released from custody pending trial if the court is satisfied that the defendant will attend in court for trial.

(3) In an order under subrule (2) for the release of the defendant from custody pending trial, the court shall provide that the order shall not take effect until the defendant,

(a) gives an undertaking, either without conditions or with such conditions as may be ordered by the court, to attend in court for trial; or

(b) enters into a recognizance with or without sureties but in such amount, with such conditions and before such justice as the court orders,

(i) without deposit of money or other valuable security, or

(ii) and deposits with the justice the money or other valuable security specified by the court. R.R.O. 1980, Reg. 819, r. 26.

27.—(1) In this rule, "order" means an order under subclause 117 (1) (b) (ii) of the *Provincial Offences Act*.

(2) Except with the consent of the parties or their counsel, the examination of a witness under an order shall take place in the presence of the parties to the appeal or their counsel. R.R.O. 1980, Reg. 819, r. 27 (1, 2).

(3) A party who intends to make a motion for an order for the examination of a witness before an official examiner shall obtain a tentative appointment with the official examiner for the examination before making the motion for the order.

(4) Upon the completion of an examination before an official examiner under an order, the party who made the motion for the order shall file a certificate of the official examiner in Form 6.

(5) An official examiner who signs and delivers a certificate in Form 6 shall notify each of the parties to the appeal and the clerk when the transcript of the examination is completed. R.R.O. 1980, Reg. 819, r. 27 (3-5), *revised*.

28.—(1) Where the court makes an order under clause 117 (1) (e) of the *Provincial Offences Act* referring a question to a special commissioner for inquiry and report, the court shall, by order, appoint the special commissioner and fix the date on or before which the inquiry shall be completed and the report shall be filed. R.R.O. 1980, Reg. 819, r. 28 (1).

(2) A special commissioner appointed by order of the court may make a motion to the court for directions in respect of the inquiry or the report or both. R.R.O. 1980, Reg. 819, r. 28 (2), *revised*.

(3) Upon completion of the report, the special commissioner,

(a) shall file the report together with one copy for each party to the appeal; and

(b) shall give notice of the filing of the report to each party to the appeal. R.R.O. 1980, Reg. 819, r. 28 (3).

29. Immediately after the disposition of an appeal, the clerk shall give notice of the decision of the court, including any written reasons and endorsements made by the court,

(a) to each party to the appeal who was not present in person or by counsel when the decision was made; and

(b) to the clerk of the Ontario Court (Provincial Division). R.R.O. 1980, Reg. 819, r. 29, *revised*.

Form 1

Courts of Justice Act

NOTICE OF APPEAL UNDER SECTION 116 OF THE PROVINCIAL OFFENCES ACT

(strike out inapplicable words)

1. Ontario Court (General Division) or Ontario Court (Provincial Division)

   at .....

2. Appellant is:

   ☐ Defendant

   ☐ Prosecutor

   ☐ Attorney General

3. Name of appellant: .....

   Address for service: .....

4. Counsel for appellant:

   Name: .....

   Address for service: .....

5. The appellant appeals against:

   ☐ conviction

   ☐ dismissal

   ☐ finding as to ability to conduct a defence

   ☐ sentence

   by the Ontario Court (Provincial Division)

   at .....
   (address of court)

6. Decision of Ontario Court (Provincial Division): .....

   .....

   .....

7. Date of decision: .....

8. If defendant is in custody, place where held:

   .....

9. Description of offence: .....

   .....

10.—(1) Statute: .....

   (2) Section: .....

11. Date of offence: .....

12. Plea at trial: .....

13. The relief sought is: .....

14. The grounds of appeal are: .....

15. The appellant intends:

   ☐ to be present in person or by counsel and to present the issues and the appellant's arguments orally

☐ not to be present in person or by counsel and to present the issues and the appellant's arguments in writing.

16. Does the appellant intend to make a motion for an order that the appeal be heard by way of a new trial in the appeal court?

( ) Yes ( ) No

17. Date: .....

18. Signature of appellant or counsel: .....

Notes:

1. If appellant's address for service is that of the appellant's counsel, state counsel's full address and add appellant's own full address.

2. Please notify the clerk of the court in writing immediately of any change of address. The court will communicate with you by mail at the address shown by you in this notice unless you notify the court of a change in your address.

3. This notice of appeal must be filed with the local registrar of the Ontario Court (General Division).

R.R.O. 1980, Reg. 819, Form 301, *revised*.

Form 2

Courts of Justice Act

CERTIFICATE OF CLERK OF ONTARIO COURT (PROVINCIAL DIVISION) AS TO TRANSCRIPT OF EVIDENCE

(strike out inapplicable words)

1. Ontario Court (General Division) or Ontario Court (Provincial Division) .....

at .....

2. Name of appellant: .....

Address for service: .....

3. Counsel for appellant:

Name: .....

Address for service: .....

4. I, ..., certify that:
(name)

(1) I am clerk of the Ontario Court (Provincial Division)

at .....

(2) The appellant has ordered ..... copies of the transcript of evidence at the trial including reasons for judgment or sentence recorded at the trial of .....
(name of defendant)

held at the Ontario Court (Provincial Division) on the ..... day of ....., 19....

(3) I have accepted the order, will ensure that the transcript is prepared with reasonable diligence and will provide the number of copies ordered.

(4) When the transcript is completed I will obtain and attach to it a certificate by the person who prepared the transcript as to the accuracy of the transcription.

(5) When the transcript has been completed, I will notify,

(a) the appellant;

(b) the respondent;

(c) the clerk of the court to which the appeal is being taken; and

(d) if the Crown Attorney is not the appellant or the respondent, the Crown Attorney.

Dated at .....,

this ..... day of ....., 19.....

.....
(signature of clerk)

R.R.O. 1980, Reg. 819, Form 302, *revised*.

Form 3

Courts of Justice Act

RECOGNIZANCE UNDER SECTION 110 OF THE PROVINCIAL OFFENCES ACT

Be it remembered that on the ..... day of ....., 19....., the persons named in the following Schedule came before me and jointly and severally acknowledged themselves to owe Her Majesty the Queen the amounts set opposite their names, namely:

		cash deposit	description of other valuable security
Appellant:	..... (name)	$ ..... (amount)	$ .....
Address	.....		
Surety:	..... (name)	$ ..... (amount)	$ .....
Address	.....		
Surety:	..... (name)	$ ..... (amount)	$ .....
Address	.....		

which may be enforced in the same manner as a judgment of the Ontario Court (General Division) if the appellant fails to comply with the condition(s) hereunder written.

Taken and acknowledged before me at ..... this ..... day of ....., 19.....

.....
Judge

Whereas ....., of ....., hereinafter called the appellant, was convicted in the Ontario Court (Provincial Division) at ..... of the offence of ..... contrary to ..... section ..... and was sentenced to .....

And whereas the appellant wishes to appeal the conviction or sentence or both and,

( ) to be released from custody pending the hearing of that appeal

( ) that the application of subsection 111 (1) of the *Provincial Offences Act* be waived pending the hearing of the appeal.

Now therefore the condition of this recognizance is that if the appellant appears on the appeal

(set out any further conditions)

the said recognizance is void, otherwise it is of full force and effect.

.....
signature of surety

....
signature of defendant signature of surety

R.R.O. 1980, Reg. 819, Form 303, *revised*.

Form 4

Courts of Justice Act

RECOGNIZANCE UNDER SECTION 111 OF THE PROVINCIAL OFFENCES ACT

Be it remembered that on the ..... day of ....., 19....., at ....., the persons named in the following Schedule came before me and jointly and severally acknowledged themselves to owe Her Majesty the Queen the amounts set opposite their names, namely:

Appellant: ..... (name) $ ..... (amount) (no deposit required)

Address .....

.....

Surety: ..... (name) $ ..... (amount) (no deposit required)

Address .....

.....

Surety: ..... (name) $ ..... (amount) (no deposit required)

Address .....

.....

which may be enforced in the same manner as a judgment of the Ontario Court (General Division) if the appellant fails to comply with the conditions hereunder written.

Taken and acknowledged before me at ..... this ..... day of ....., 19.....

.....
Judge

Whereas ..... of ..... hereinafter called the appellant, was convicted in the Ontario Court (Provincial Division) at ..... of the offence(s) of ..... contrary to ..... section ..... and a fine of $..... was imposed.

And whereas the appellant wishes to appeal that conviction or sentence or both and has requested that the application of subsection 111 (1) of the *Provincial Offences Act* be waived pending the hearing of the appeal.

Now therefore the condition of this recognizance is that if the appellant appears on the appeal the said recognizance is void, otherwise it is of full force and effect.

This recognizance has been read over and explained to me and I fully understand the same.

.....
signature of surety

..... signature of appellant

..... signature of surety

R.R.O. 1980, Reg. 819, Form 304, *revised*.

Form 5

Courts of Justice Act

NOTICE OF ABANDONMENT OF APPEAL

BETWEEN .....

(appellant)

—AND—

.....

(respondent)

Take notice that the appellant has abandoned the appeal in respect of the following matter:

(describe charge against defendant, state the decision or sentence appealed from and the date of the decision)

Dated at ..... this ..... day of ....., 19.....

.....

(appellant or counsel for appellant)

.....

(witness)

R.R.O. 1980, Reg. 819, Form 305, *revised*.

Form 6

Courts of Justice Act

CERTIFICATE OF OFFICIAL EXAMINER TO ONTARIO COURT (GENERAL DIVISION) OR ONTARIO COURT (PROVINCIAL DIVISION)

(strike out inapplicable words)

1. Ontario Court (General Division) or Ontario Court (Provincial Division)

   at .....

2. Name of appellant: .....

   Address for service: .....

   .....

3. Counsel for appellant:

   Name: .....

   Address for service: .....

   .....

4. Name of respondent:

   Address for service: .....

5. Counsel for respondent:

   Name: .....

   Address for service: .....

   .....

6. Name of witness examined: .....

7. Witness was examined by:

   ( ) appellant

   ( ) respondent

   ( ) .....

8. The examination of the witness was completed on the ..... day of ....., 19.....

9. I, ..., an official examiner, certify that the,
(name)

( ) appellant

( ) respondent

( ) .....

has ordered ..... copies of the transcript of this examination, that I have accepted the order, will prepare the transcript with reasonable diligence and will provide the stated number of copies of the transcript.

Dated at .....,

this ..... day of ....., 19.....

.....
(official examiner)

R.R.O. 1980, Reg. 819, Form 306, *revised*.

REGULATION 197

RULES OF THE ONTARIO COURT (GENERAL DIVISION) IN ESTATE PROCEEDINGS

Applications for Probate, Administration and Guardianship

1. An application for probate, administration or guardianship shall be made by the filing of the prescribed form of application. R.R.O. 1980, Reg. 925, r. 1.

2. No probate or letters of administration with the will annexed shall issue until after the lapse of seven days from the death of the testator, and no letters of administration shall issue until after the lapse of fourteen days from the death of the intestate unless in either case, the judge otherwise directs. R.R.O. 1980, Reg. 925, r. 2.

3. Where two or more competing applications for a grant are made, the judge shall determine on motion which prevails. R.R.O. 1980, Reg. 925, r. 3, *revised*.

Probate

4. On an application for probate or for administration with the will annexed, the due execution of the will and of every codicil thereto shall be proved by affidavit of one of the subscribing witnesses, made in the prescribed form and made either prior to or after the death of the testator, but if an affidavit cannot be obtained from either of them, the due execution of the will may be established by other evidence. R.R.O. 1980, Reg. 925, r. 4.

5. When a holograph will is presented for probate or with an application for administration with will annexed the applicant shall submit proof of execution thereof in the prescribed form or in such other form as the judge may require to satisfy the judge that the entire will, including the signature thereto, is in the proper handwriting of the deceased. R.R.O. 1980, Reg. 925, r. 5.

6. No affidavit of execution of a will or codicil and no affidavit of condition shall be sworn by a witness to the will or codicil before another witness to the will or codicil. O. Reg. 845/82, s. 1.

7. Where it is proved that a will is made in accordance with section 5 of the *Succession Law Reform Act* due execution thereof may be proved by evidence that the signature is that of the deceased. R.R.O. 1980, Reg. 925, r. 7.

8. A will and every codicil shall be identified by the signature of the applicant. R.R.O. 1980, Reg. 925, r. 8.

9. Where in a will there appear interlineations, alterations, erasures or obliterations that have not been attested, such interlineations, alterations, erasures or obliterations shall not be regarded or included in the probate unless it is shown that they existed in the will before its execution or have been rendered valid by republication of the will or by the subsequent execution of a codicil thereto. R.R.O. 1980, Reg. 925, r. 9.

10. Where words have been erased or obliterated that may have been of importance, or where the appearance of the will is such as to indicate an attempted cancellation by burning, tearing or the like, or where any suspicious circumstances exist, probate shall not be granted until all such matters have been explained to the satisfaction of the judge. R.R.O. 1980, Reg. 925, r. 10.

11. An affidavit of condition shall be required only where a will or codicil is in a condition described in rule 9 or 10. O. Reg. 845/82, s. 2.

12. If a will is not dated or is dated imperfectly, one of the attesting witnesses shall furnish evidence of the date of execution, or where such evidence cannot be obtained, evidence shall be furnished of the execution between two definite dates, or that search has been made and that no will of presumably later date has been found. R.R.O. 1980, Reg. 925, r. 11.

13. Where the deceased died testate it shall be shown by a certificate of the local registrar that no will of later date than the will tendered has been deposited in the local registrar's office. R.R.O. 1980, Reg. 925, r. 12, *revised*.

14.—(1) Where a beneficiary or the spouse of a beneficiary witnesses a will or codicil or signs for the testator, if the provisions made therein for such beneficiary are void by reason of section 12 of the *Succession Law Reform Act*, such fact shall be endorsed on the will or codicil by the local registrar and such endorsement shall appear on the copy of the will or codicil attached to the grant.

(2) Where a devise or bequest of a beneficial interest in property to a former spouse, or an appointment of a former spouse as executor or trustee, or the conferring of a general or special power of appointment on a former spouse are revoked by reason of section 17 of the *Succession Law Reform Act*, such fact shall be endorsed on the will or codicil by the local registrar and such endorsement shall appear on the copy of the will or codicil attached to the grant. R.R.O. 1980, Reg. 925, r. 13, *revised*.

Double Probate

15. Where all of the executors named in a will have not made

application for probate and the right has been reserved to one or more of them to make application for probate at some future time, or if an alternative executor is called upon to complete the administration, and, in either case, if it is desired to have the appointment of such executor or executors confirmed by the court, the grant for which the application is made shall be termed "double probate". R.R.O. 1980, Reg. 925, r. 14.

16. An application for double probate shall be made by the filing of the prescribed form of application. R.R.O. 1980, Reg. 925, r. 15.

17. The original letters probate shall be surrendered with the application, or if the original has been lost the filing of a court certified copy of the grant shall be sufficient. R.R.O. 1980, Reg. 925, r. 16.

Solemn Form

18. Where the circumstances appear to justify the direction, the judge may require that proof be made in solemn form. R.R.O. 1980, Reg. 925, r. 17.

19. Where probate or letters of administration with the will annexed are sought of a will that is lost or destroyed, the proof shall be made in solemn form. R.R.O. 1980, Reg. 925, r. 18.

Administration

20. Upon an application for letters of administration of the estate of an intestate, it shall be shown by a certificate of the local registrar that no will has been deposited in the local registrar's office. R.R.O. 1980, Reg. 925, r. 19, *revised.*

21. Subject to section 29 of the *Estates Act*, upon an application for letters of administration the names of those persons entitled to share on the intestacy shall be shown, and it shall be shown that every person entitled to a grant in priority has consented or renounced, otherwise a citation shall be served upon those who have not so consented or renounced, calling upon them to show cause why administration should not be granted to the applicant. R.R.O. 1980, Reg. 925, r. 20, *revised.*

22. The judge may direct notice to be given to, or consent to be obtained from, any of the next of kin equally entitled to administration. R.R.O. 1980, Reg. 925, r. 21.

23. Where there are no known next of kin or where the only next of kin are infants, notice shall be published in such newspapers as the judge directs. R.R.O. 1980, Reg. 925, r. 22.

Administration *De Bonis Non Administratis*

24. Upon the death of the administrator of an estate leaving part of the assets unadministered, an application may be made for a grant of letters of administration *de bonis non administratis* to complete the administration of the estate. R.R.O. 1980, Reg. 925, r. 23.

25. An application for administration *de bonis non administratis* shall be made by filing of the prescribed form of application. R.R.O. 1980, Reg. 925, r. 24.

26. The original grant shall be surrendered with the application, or if the original has been lost the filing of a court certified copy of the grant shall be sufficient. R.R.O. 1980, Reg. 925, r. 25.

Administration *De Bonis Non Administratis* with Will Annexed

27. Where the executor of an estate has died intestate and there are no other executors to carry on the administration of the estate or where the administrator with the will annexed of an estate has died leaving part of the estate unadministered, the beneficiaries under the will may nominate any person to make application for a grant of administration *de bonis non administratis* with the will annexed to complete the administration of the estate. R.R.O. 1980, Reg. 925, r. 26.

28. An application for administration *de bonis non administratis* with will annexed shall be made by the filing of the prescribed form of application. R.R.O. 1980, Reg. 925, r. 27.

29. The original grant shall be surrendered with the application, or if the original has been lost the filing of a court certified copy of the grant shall be sufficient. R.R.O. 1980, Reg. 925, r. 28.

Ancillary Grants

30. Where a foreign court of competent jurisdiction has granted probate of administration with the will annexed of an estate that includes property in Ontario, and application for ancillary probate or administration with the will annexed is made and it is shown that the executor or administrator is by the law of the domicile of the deceased entitled to receive the property, and the inventory required by section 32 of the *Estates Act* is filed, ancillary letters shall be issued. R.R.O. 1980, Reg. 925, r. 29, *revised.*

31. It is not necessary to produce the original will, but an exemplification of the foreign grant shall be marked as an exhibit to the affidavit of the applicant, identified by the applicant's signature and filed. R.R.O. 1980, Reg. 925, r. 30.

Resealing

32. Every application for resealing shall be by petition and all material facts shall be verified by affidavit except that the grant sought to be resealed may be accepted as proof of death and, in case of testacy, of the execution of the will and that it is the last will of the deceased, and in case of intestacy, that the deceased left no will. R.R.O. 1980, Reg. 925, r. 31.

33. A certified copy of the grant sought to be resealed shall be filed. R.R.O. 1980, Reg. 925, r. 32.

Security to be Given

34. The security to be given by administrators, foreign executors and guardians shall be by the bond of a guarantee company or by personal bond in the appropriate form with due affidavits of execution and justification to the satisfaction of the judge who may, if he or she considers it necessary, require the personal attendance of the sureties before him or her for examination. R.R.O. 1980, Reg. 925, r. 33.

35.—(1) The sureties in administration and guardianship bonds, if not a guarantee company, shall justify to an amount or amounts which in the aggregate shall equal the amount of the penalty in the bond and each surety shall be of the full age of eighteen years and shall so declare.

(2) Where the value of the property is $5,000 or less one surety is sufficient and where the value of the property is greater than $5,000 at least two sureties are required unless the judge otherwise directs.

(3) In the case of an administration *de bonis non administratis*, the bond shall be based upon the value of the unadministered assets.

(4) No local registrar or solicitor shall be surety to any such bond. R.R.O. 1980, Reg. 925, r. 34, *revised.*

36.—(1) Any person interested in an estate may file a memorandum requiring notice to be given to the person of the consideration of the bond and the person shall then be served with an appointment to inquire into its sufficiency.

(2) The judge may, if he or she disallows the bond, permit a new bond to be filed, but shall not allow the grant to issue until satisfied that adequate security has been furnished. R.R.O. 1980, Reg. 925, r. 35.

37. If the judge has reason to believe that the value of the property of the deceased, or of the ward, exceeds the sum stated by the applicant, the judge may inquire into the matter in a summary way and determine the amount of security to be given. R.R.O. 1980, Reg. 925, r. 36.

38. Where a grant has issued and it is shown to the satisfaction of the judge that the sureties are not sufficient, the judge may direct the guardian, administrator or foreign executor to furnish further security and, in default, may revoke the grant or suspend its operation. R.R.O. 1980, Reg. 925, r. 37.

INTERVENTION

39.—(1) Any person interested may intervene by filing a notice in the prescribed form (Form 43) and an affidavit showing the nature of the person's interest.

(2) A copy of the notice and affidavit shall be served upon the applicant by the intervener as soon as may be after filing. R.R.O. 1980, Reg. 925, r. 38 (1, 2).

(3) Notice of all steps taken in the proceeding thereafter shall be given to the intervener. R.R.O. 1980, Reg. 925, r. 38 (3), *revised.*

CAVEATS

40. At any time before grant is sealed any person interested in an estate may by a caveat filed in the office of the Estate Registrar for Ontario, if no certificate under section 17 of the *Estates Act* has been forwarded, or in the office of the local registrar, require that nothing be done with reference to the estate of the deceased without notice being first given to the person or the person's solicitor. R.R.O. 1980, Reg. 925, r. 39, *revised.*

41. If the caveat or a copy thereof is filed in the office of the Estate Registrar for Ontario he or she shall transmit a copy of it to the local registrar with the Estate Registrar's certificate under section 17 of the *Estates Act*, and such caveat shall thereupon be deemed to be filed with the local registrar. R.R.O. 1980, Reg. 925, r. 40, *revised.*

42. Despite the filing of a caveat, an application may be made for a grant and notice of the application may be sent to the Estate Registrar for Ontario, but no further steps shall be taken upon such application without notice being given to the person filing the caveat, unless the person consents, until the caveat has been removed. R.R.O. 1980, Reg. 925, r. 41, *revised.*

43.—(1) The party filing a caveat shall declare therein the nature of the party's interest in the property of the deceased and state generally the grounds upon which the party enters the caveat and the caveat shall be signed by the party, or by the party's solicitor on the party's behalf, and an address shall be given at which service may be effected.

(2) The caveat shall be accompanied by an affidavit of the person filing the caveat or of some person on the person's behalf showing the nature of the person's interest and that the caveat is not entered for the purpose of delay or to embarrass any person interested in the estate. R.R.O. 1980, Reg. 925, r. 42.

44.—(1) A caveat remains in force for six months after it is filed unless it is sooner withdrawn and thereafter it is of no effect but at any time thereafter another caveat may be filed.

(2) A caveat may be withdrawn at any time upon the order of the judge. R.R.O. 1980, Reg. 925, r. 43.

45.—(1) Where a vexatious caveat is filed the judge may order it to be vacated. R.R.O. 1980, Reg. 925, r. 44 (1).

(2) Upon a motion to vacate a caveat the judge may give all directions necessary for a speedy trial. R.R.O. 1980, Reg. 925, r. 44 (2), *revised.*

46.—(1) Where an application for probate or administration is made and a caveat has been or is thereafter filed at any time before grant is sealed, the registrar shall send a warning to the person who entered the caveat, by registered mail, addressed to the person at the place named in the caveat.

(2) Such warning shall state the nature of the application made and give the name and address of the applicant, and, if a will is propounded, give the date of the will and shall call upon the person entering the caveat to enter an appearance in ten days if he or she desires to contest the application. R.R.O. 1980, Reg. 925, r. 45.

DIRECTIONS FOR TRIAL

47.—(1) If an appearance is entered, a motion shall be made to the judge for the purpose of adding all necessary parties and for ordering the service of such citations as are necessary. R.R.O. 1980, Reg. 925, r. 46 (1), *revised.*

(2) A person served with a citation and desiring to be heard shall file an appearance in the office of the local registrar within such time as is set out in the citation or within such further time as the judge allows and, in default of filing such appearance the person is not entitled to notice of any further step in the proceeding. R.R.O. 1980, Reg. 925, r. 46 (2), *revised.*

(3) At the expiration of the time limited for the entry of appearance the applicant shall obtain from the local registrar an appointment for further directions and shall, at least four clear days before the return of the appointment, serve a copy thereof upon all persons who have appeared. R.R.O. 1980, Reg. 925, r. 46 (3), *revised.*

(4) Upon the return of the appointment the judge shall settle the issues, determine whether pleadings are to be delivered, whether production of documents and discovery are necessary, shall give all further necessary directions and fix the mode of trial. R.R.O. 1980, Reg. 925, r. 46 (4).

48.—(1) Upon an application for proof of a will in solemn form or for revocation of a probate, or where in any proceeding the validity of a will is disputed, the judge shall direct that all persons having an interest in upholding or attacking the validity of the will shall be made parties to the proceeding. R.R.O. 1980, Reg. 925, r. 47 (1), *revised.*

(2) Such parties shall be served with a citation calling upon them to enter an appearance and warning them that in default they will be bound by the result of such steps as are taken in their absence. R.R.O. 1980, Reg. 925, r. 47 (2), *revised.*

(3) All parties entering an appearance shall be served with notice of the motion for directions concerning trial. R.R.O. 1980, Reg. 925, r. 47 (3), *revised.*

CITATION TO ACCEPT PROBATE

49.—(1) Where an executor fails to bring in a will for probate, any person interested may cite the executor to accept or refuse the probate and execution of the will, or to show cause why probate or administration with the will annexed, as the case may be, should not be granted to the applicant or to such other person having the prior right thereto who is willing to accept the same.

(2) No such citation shall issue until after the lapse of fourteen days from the testator's death. R.R.O. 1980, Reg. 925, r. 48.

CITATION TO BRING IN WILL

50. Where it is shown to the satisfaction of the judge that any testamentary document may be in the custody of a person, a citation may be issued to such person, calling upon the person to deposit in the office of the local registrar any testamentary document in the person's possession or control, or to state under oath that no such document is in the person's possession or control. R.R.O. 1980, Reg. 925, r. 49, *revised.*

51. Where it is shown to the satisfaction of the judge that a person has knowledge of any will or other document or any asset relating or belonging to an estate, a summons may by leave of the judge be served upon such person calling upon the person to attend at a time and place to be named and to be examined touching the same. R.R.O. 1980, Reg. 925, r. 50, *revised.*

CITATION TO BRING IN A DETAILED INVENTORY

52. Where it is shown to the satisfaction of the judge that further information should be provided disclosing details of the assets of an estate, a citation may issue to any executor, administrator, trustee under a will, or guardian of an infant calling upon the person to deposit in the office of the local registrar a detailed list of the assets of the estate and value thereof verified by affidavit to the best of the person's knowledge and information. R.R.O. 1980, Reg. 925, r. 51, *revised.*

53. If the applicant is not satisfied with the sufficiency of the affidavit, the applicant may make a motion to the judge, upon seven clear days' notice, for an order directing further particulars to be furnished by a supplementary affidavit or as otherwise directed. R.R.O. 1980, Reg. 925, r. 52, *revised.*

CITATION TO A BENEFICIARY

54. Where upon an application for probate or administration with will annexed it appears that a devise, bequest, or other disposition may be void under section 12 of the *Succession Law Reform Act*, a citation shall issue to the beneficiary affected, unless there is filed with the application the consent of all persons having an interest in the matter to an order finding that neither the beneficiary affected nor his or her spouse exercised any improper or undue influence upon the testator. R.R.O. 1980, Reg. 925, r. 53.

CITATION TO A FORMER SPOUSE

55. Where upon an application for probate or administration with will annexed it appears that a devise or bequest of a beneficial interest in property to a former spouse, or an appointment of a former spouse as executor or trustee, or the conferring of a general or special power of appointment on a former spouse may be revoked under section 17 of the *Succession Law Reform Act*, a citation shall issue to the former spouse. R.R.O. 1980, Reg. 925, r. 54.

CITATION WHERE INTESTACY

56. Where upon an intestacy letters of administration have not been issued, any person interested may before applying for grant cite those having a prior right to accept or refuse administration, and in default of application being made by them, may file his or her own application. R.R.O. 1980, Reg. 925, r. 55.

ORDER TO BRING IN GRANT FOR REVOCATION

57. Where it is sought to revoke a grant, a citation may issue calling upon the person in whose favour the grant has been made to bring the grant into the local registrar's office within the time specified in the citation and pending the determination of the proceeding, the person holding the grant shall not act thereunder without the leave of the judge. R.R.O. 1980, Reg. 925, r. 56, *revised.*

GUARDIANSHIP

58. Upon an application for guardianship there shall be shown the names of the parents and their place of abode, the time of their death if they be dead, the names and places of abode of the infants, the relationship of the applicant to them, the value of the real and personal property of the infants and the annual value of such property with particulars thereof and such other proof as the judge requires. R.R.O. 1980, Reg. 925, r. 57.

59. A caveat against the grant of letters of guardianship may be filed and the practice with respect to the caveat shall conform as nearly as may be to the practice in the case of caveats against the grant of probate. R.R.O. 1980, Reg. 925, r. 58.

PASSING OF ACCOUNTS

60. Executors, administrators, trustees under a will and guardians of infants may pass their accounts voluntarily or they may be called upon by citation to do so on the application of any person interested therein. R.R.O. 1980, Reg, 925, r. 59.

61.—(1) Upon the filing of,

(a) an application to pass accounts in Form 45;

(b) the accounts;

(c) a copy of the letters probate; and

(d) a copy of the previous order, if any, made on a passing of accounts in the estate,

with the local registrar, the judge shall make an appointment fixing a time and place for the passing of accounts. R.R.O. 1980, Reg. 925, r. 60 (1), *revised.*

(2) The applicant shall serve notice of the appointment upon each person interested in the administration of the estate.

(3) Where a beneficiary resides outside Ontario, the judge shall give directions in respect of service of notice of the appointment upon the beneficiary.

(4) Notice of the appointment may be served,

(a) upon a person within Ontario, by sending a copy of the appointment to the person by prepaid ordinary mail at least twenty-one days before the date of the appointment;

(b) upon a beneficiary who resides outside Ontario, in accordance with the directions given by the judge.

(5) Where a minor has an interest in the administration of the estate, contingent or otherwise, the applicant shall serve upon the Official Guardian,

(a) notice of the appointment;

(b) notice of the name and interest of the minor;

(c) notice of the address of a person with whom the minor resides; and

(d) a copy of each document filed with the registrar to obtain the appointment to pass the accounts. R.R.O. 1980, Reg. 925, r. 60 (2-5).

(6) Where a person who is mentally incompetent, who has been declared incapable under section 35 of the *Mental Incompetency Act* or who is an absentee has an interest, contingent or otherwise, in the administration of the estate, the applicant shall serve upon the committee of the estate of the person or, where there is no committee, upon the Official Guardian,

(a) notice of the appointment;

(b) notice of the name and interest of the person;

(c) notice of the last known address of the person;

(d) a copy of each document filed with the local registrar to obtain the appointment to pass the accounts. R.R.O. 1980, Reg. 925, r. 60 (6), *revised.*

(7) The accounts shall be passed before the judge in chambers. O. Reg. 845/82, s. 3 (7).

62.—(1) The accounts shall contain a true and perfect inventory of the whole property in question, including,

(a) an account showing of what the original estate consisted;

(b) an account of all money received;

(c) an account of all money disbursed;

(d) an account of all property remaining on hand;

(e) a statement of compensation claimed by the executor or administrator; and

(f) such other accounts as the judge requires.

(2) Where principal and income are dealt with separately by the will or instrument creating any trust estate, the accounts shall be divided so as to show separately receipts and disbursements in respect of principal and income and in every other case the amounts may be so divided if the accounts of principal and income have been kept separate.

(3) Where executors, administrators, trustees or guardians have made investments of trust funds, the accounts shall show separately particulars of:

(a) all money so invested;

(b) all money received by way of repayments of or realization upon such investments in whole or in part; and

(c) the balance of all such investments remaining on hand. R.R.O. 1980, Reg. 925, r. 61.

63. Upon passing accounts, the judge may moderate any bill of costs and charges of solicitors employed by the executors, administrators, trustees, or guardians, or refer the same for assessment under the *Solicitors Act*. R.R.O. 1980, Reg. 925, r. 62, *revised.*

64.—(1) Every order made upon passing accounts shall be made in duplicate and one of such duplicates shall be filed with the local registrar who shall enter it in full in a book to be kept for that purpose. R.R.O. 1980, Reg. 925, r. 63 (1), *revised.*

(2) The order shall be served by registered mail or in such other manner as the judge directs upon the persons who attended or were represented at the passing of the accounts. R.R.O. 1980, Reg. 925, r. 63 (2).

WILLS DEPOSITED FOR SAFE KEEPING

65. Every will deposited for safe keeping with the local registrar shall be enclosed in an envelope, securely sealed, upon which shall be endorsed the name and address of the testator and of the executor or executors and the local registrar shall mark thereon a memorandum showing the date of deposit and from whom received. R.R.O. 1980, Reg. 925, r. 64, *revised.*

66. Where a will is deposited for safe keeping by a person other than the testator, the person shall also deposit his or her affidavit stating that the will is in the same plight, state and condition as when received by the person from the testator. R.R.O. 1980, Reg. 925, r. 65.

67.—(1) A will deposited for safe keeping shall not be removed, copied or inspected during the testator's lifetime except by the testator in person or, upon the order of the judge, by a solicitor acting under the written authority of the testator, which authority shall be verified by the affidavit of the solicitor and shall be filed. R.R.O. 1980, Reg. 925, r. 66 (1).

(2) After the death of the testator, the will shall be delivered to the executor upon the executor's personal request or to such other person as the judge directs, and, in either case, the local registrar shall take a receipt for the will and retain a copy of it compared and certified by the local registrar. R.R.O. 1980, Reg. 925, r. 66 (2), *revised.*

68. An affidavit of due execution of the will may be deposited with it and in such case no further affidavit need be furnished upon the application for probate thereof unless required by the judge. R.R.O. 1980, Reg. 925, r. 67.

REGISTRAR'S DUTIES

69. The local registrar shall keep such books as are required by the Deputy Attorney General or a person designated by the Deputy Attorney General. R.R.O. 1980, Reg. 925, r. 68, *revised.*

70. All fees shall be paid by the party on whose behalf the proceeding is had at the time the proceeding is taken and the grant shall not be issued until the fees are paid. R.R.O. 1980, Reg. 925, r. 69, *revised.*

71. Upon an application for probate or letters of administration or guardianship and upon receipt of the certificate from the Estate Registrar for Ontario, the local registrar shall forthwith submit the application to the judge. R.R.O. 1980, Reg. 925, r. 70, *revised.*

72. The local registrar shall number each application for probate, administration or guardianship received by him or her in the order in which it is received and shall endorse on it the date of its receipt and shall make an entry thereof in the book to be kept for that purpose with a number prefixed to correspond with the number on the application. R.R.O. 1980, Reg. 925, r. 71, *revised.*

73. The local registrar shall number, endorse and enter all caveats lodged with him or her in the same manner as applications for grants. R.R.O. 1980, Reg. 925, r. 72, *revised.*

74. The local registrar shall endorse the date of receipt upon all papers filed with or received by him or her and enter a note thereof and of every proceeding in the proper books. R.R.O. 1980, Reg. 925, r. 73, *revised.*

75. Every order made in chambers shall be signed by the judge, and the local registrar shall enter it in full in the book to be kept for that purpose. R.R.O. 1980, Reg. 925, r. 74, *revised.*

76. A citation shall be by an order to be granted without notice by the judge upon an affidavit showing the facts upon which the citation is founded. R.R.O. 1980, Reg. 925, r. 75.

77. Every judgment shall be signed by the local registrar and issued by him or her under the seal of the court and shall be entered in full in the book to be kept for that purpose. R.R.O. 1980, Reg. 925, r. 76, *revised.*

78. All grants of probate, administration or guardianship shall be signed by the local registrar and issued under the seal of the court and any copy of a will forming part of or attached to the grant shall be authenticated by the signature of the local registrar and the grant and copy of the will shall be recorded in the proper register. R.R.O. 1980, Reg. 925, r. 77, *revised.*

79. Upon the revocation of a grant of probate, administration or guardianship, an entry thereof shall be made by the registrar across the face of the grant recorded in the register in the following form:

"Revoked by Judge's Order, dated the .....

day of ....., 19.....". R.R.O. 1980, Reg. 925, r. 78.

80. The costs of proceedings under the *Estates Act* or governed by these rules shall be assessed by the local registrar subject to appeal to the judge. R.R.O. 1980, Reg. 925, r. 79, *revised.*

81.—(1) The notices of application for grant of probate and

administration made to the Estate Registrar for Ontario by every local registrar shall be in the prescribed form.

(2) The notices of application for grant of guardianship made to the Estate Registrar for Ontario by every local registrar shall be in the prescribed form. R.R.O. 1980, Reg. 925, r. 80, *revised.*

ESTATE REGISTRAR FOR ONTARIO

82.—(1) It is the duty of the Estate Registrar for Ontario to record the particulars transmitted to him or her by the local registrar as set out in the preceding rule.

(2) It is the duty of the Estate Registrar for Ontario to record the particulars set out in the caveats lodged with him or her and in the copies of the caveats transmitted to him or her by the local registrar.

(3) The particulars mentioned in this rule shall be recorded in such manner as the Deputy Attorney General or a person designated by the Deputy Attorney General directs. R.R.O. 1980, Reg. 925, r. 81, *revised.*

FORMS

83.—(1) The forms contained in Appendix A shall be used with such variations or modifications as circumstances may require, but any variance therefrom, not being in manner of substance, does not affect their regularity.

(2) The provisions contained in the forms prescribed shall be deemed to be authorized by these rules. R.R.O. 1980, Reg. 925, r. 82 (1, 2).

(3) The Rules of Civil Procedure insofar as they relate to the form of documents, size of paper and like matters, shall apply to proceedings under the *Estates Act* or governed by these rules. R.R.O. 1980, Reg. 925, r. 82 (3), *revised.*

ESTATES OF SOLDIERS DYING ON ACTIVE SERVICE

84. Where letters probate, letters of administration or letters of guardianship are sought with respect to the estate of a member of the Canadian Armed Forces who has died while on active service and the whole property of the deceased or of the ward does not exceed in value $5,000, the local registrar shall prepare the necessary papers to lead to grant, including where applicable all papers and proofs required by *The Succession Duty Act*, being chapter 449 of the Revised Statutes of Ontario, 1970, and the bond, if any, and administer the necessary oaths; and the total amount to be charged to the applicant for the proceeding and services shall be $2 and the tariff of fees prescribed to be paid to the local registrar, the judge and to the Crown shall be varied accordingly. R.R.O. 1980, Reg. 925, r. 83, *revised.*

AFFIDAVITS

85. Any solicitor may take any affidavit in connection with any of his or her non-contentious business in matters under the *Estates Act* or governed by these rules, including all affidavits required for obtaining the grant of letters of administration or probate or guardianship. R.R.O. 1980, Reg. 925, r. 84, *revised.*

TARIFFS

86. The fees to be allowed to solicitors in proceedings under the *Estates Act* or governed by these rules for services on the passing of accounts are those set out in Appendix B. O. Reg. 845/82, s. 4, *revised.*

PROCEDURE

87. A local registrar shall receive documents that are sent to him or her by prepaid ordinary mail with the fees payable in the Ontario Court (General Division) in respect of the documents. O. Reg. 845/82, s. 5, *revised.*

APPENDIX A

INDEX OF FORMS

1. Application for Probate
2. Application for Probate (Corporate Executor)
3. Application for Probate—Additional Affidavits
4. Application for Administration with Will Annexed
5. Application for Administration with Will Annexed (Corporate Applicant)
6. Application for Administration with Will Annexed—Additional Affidavits
7. Application for Administration
8. Application for Administration (Corporate Applicant)
9. Application for Administration—Additional Affidavits
10. Affidavit of Execution of Will
11. Affidavit of Execution of Codicil
12. Affidavit of Execution of Holograph Will
13. Affidavit of Condition
14. Notice of Application for Grant of Probate or Administration
15. Renunciation of Probate
16. Renunciation of Administration and Nomination
17. Renunciation of Administration with Will Annexed and Nomination
18. Administration Bond
19. Administration Bond for Administration with Will Annexed
20. Affidavit of Execution of Bond
21. Bond of Foreign Executors
22. Affidavit of Justification by Sureties
23. Application for Double Probate
24. Application for Administration de Bonis non Administratis
25. Application for Administration de Bonis non Administratis with Will Annexed
26. Additional Affidavits to be attached if necessary to an Application for Double Probate or an Application for Administration de Bonis non Administratis or an Application for Administration de Bonis non Administratis with Will Annexed
27. Letters
28. Letters of Administration
29. Exemplification of Probate or Letters of Administration with Will Annexed
30. Citation to Parties Concerned
31. Appearance
32. Order on Motion for Directions

33. Caveat

34. Affidavit to Accompany Caveat

35. Warning to Caveat

36. Citation to bring in a Testamentary Paper

37. Citation to Accept or Refuse Probate

38. Citation to Accept or Refuse Administration

39. Citation to bring in Grant where Revocation is sought

40. Citation to bring in an Inventory

41. Citation to a Beneficiary

42. Citation to a Former Spouse

43. Intervention

44. Affidavit of Intervention

45. Application to Pass Accounts

46. Application to Pass Accounts—Inter Vivos Trust

47. Appointment to Pass Accounts

48. Order on Passing Accounts

49. Nomination by Foreign Administrator of Administrator for Estate in Ontario

R.R.O. 1980, Reg. 925, App. A; O. Reg. 845/82, ss. 6, 8; O. Reg. 501/84, s. 2; O. Reg. 213/88, s. 2; O. Reg. 242/89, ss. 1, 2.

Form 1

In the
Ontario Court (General Division)

Application for Probate

Details of Deceased

This Application is filed by

Name surname | given name(s) | (if applicable) commonly known as

Fixed place of abode street or postal address | city, town, etc. | county or district

If no fixed abode in Ontario, did deceased have assets in this jurisdiction?
☐ No ☐ Yes

Last occupation

Place of death city, town, etc. | county or district

Date of death day, month, year

Date of last will Exhibit "A" day, month, year

Was deceased 18 years of age or over at date of will, or 21 years of age or over if will was dated prior to September 1, 1971?
☐ No ☐ Yes If "no", why is probate being sought? Give details in an attached schedule.

Codicils Exhibit "B" day, month, year | Exhibit "C" day, month, year

Marital status
☐ Unmarried ☐ Widower ☐ Divorced
☐ Married ☐ Widow

Did the deceased marry after the date of the will?
☐ No ☐ Yes If "yes", why is probate being sought? Give details in an attached schedule.

Was a marriage of the deceased terminated by a judgment absolute of divorce or declared a nullity after the date of the will?
☐ No ☐ Yes If "yes", give details in an attached schedule.

Is any witness to the will (or codicils) or the person signing for the testator, or the spouse of such person, a beneficiary?
☐ No ☐ Yes If "yes", give details in an attached schedule.

Value of Estate Do not include in the *Total*, insurance payable to a named beneficiary, or assigned for value; assets held on joint account and passing by survivorship; real estate situate out of Ontario

Personalty	Real Estate (net)	Total
$	$	$

Affidavits of Verification and Applicants' details (Attach a separate sheet for additional Affidavits and Applicants' details, if necessary.)
If an executor named in the will is not an Applicant, give explanation.

I, an Applicant named herein, make oath and say:
1 I am an executor named in the will and am of the full age of eighteen years.
2 I have identified the will (and each codicil) marked as Exhibits as shown in the Application, by signing same, and know of no subsequent will or codicil.
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname | given name(s) | **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____. _____ A Commissioner, etc.

_____ Signature of Applicant

Name surname | given name(s) | **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____. _____ A Commissioner, etc.

_____ Signature of Applicant

Name surname | given name(s) | **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____. _____ A Commissioner, etc.

_____ Signature of Applicant

R.R.O. 1980, Reg. 925, Form 1, *revised.*

Form 2

In the
Ontario Court (General Division)

Application for Probate *(Corporate Executor)*

This Application is filed by

Details of Deceased

Name surname | given name(s) | (if applicable) commonly known as

Fixed place of abode street or postal address | city, town, etc. | county or district

If no fixed abode in Ontario, did deceased have assets in this jurisdiction?
☐ No ☐ Yes

Last occupation

Place of death city, town, etc. | county or district

Date of death day, month, year

Date of last will Exhibit "A" day, month, year

Was deceased 18 years of age or over at the date of will, or 21 years of age or over if will was dated prior to September 1, 1971?
☐ No ☐ Yes If "no", why is probate being sought? Give details in an attached schedule.

Codicils Exhibit "B" day, month, year | Exhibit "C" day, month, year

Marital status
☐ Unmarried ☐ Widower ☐ Divorced
☐ Married ☐ Widow

Did the deceased marry after the date of the will?
☐ No ☐ Yes If "yes", why is probate being sought? Give details in an attached schedule.

Was a marriage of the deceased terminated by a judgment absolute of divorce or declared a nullity after the date of the will?
☐ No ☐ Yes If "yes", give details in an attached schedule.

Is any witness to the will (or codicils) or the person signing for the testator, or the spouse of such person, a beneficiary?
☐ No ☐ Yes If "yes", give details in an attached schedule.

Value of Estate
Do not include in the *Total*, insurance payable to a named beneficiary, or assigned for value; assets held on joint account and passing by survivorship; real estate situate out of Ontario.

Personalty	Real Estate (net)	Total
$	$	$

Affidavits of Verification and Applicants' details
(Attach a separate sheet for additional Affidavits and Applicants' details, if necessary.)
If an executor named in the will is not an Applicant, give explanation.

I, a Trust Officer named herein, make oath and say:
1 I am a Trust Officer of the corporate executor named in the will and am of the full age of eighteen years.
2 I have identified the will (and each codicil) marked as Exhibits as shown in the Application, by signing same, and know of no subsequent will or codicil.
3 The corporate executor will faithfully administer the property of the deceased according to law, and render a just, full and true account of its administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name of corporate executor | **Name of Trust Officer**

Address of corporate executor street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____. _____
A Commissioner, etc.

_____
Signature of Trust Officer

I, an Applicant named herein, make oath and say:
1 I am an executor named in the will and am of the full age of eighteen years.
2 I have identified the will (and each codicil) marked as Exhibits as shown in the Application, by signing same, and know of no subsequent will or codicil.
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname | given name(s) | **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____. _____
A Commissioner, etc.

_____
Signature of Applicant

R.R.O. 1980, Reg. 925, Form 2, *revised.*

Form 3

In the
Ontario Court (General Division)

_____

Additional
Affidavits of Verification and Applicants' details
To be attached, if necessary, to the
Application for Probate

I, an Applicant named herein, make oath and say:

1 I am an executor named in the will and am of the full age of eighteen years.
2 I have identified the will (and each codicil) marked as Exhibits as shown in the Application, by signing same, and know of no subsequent will or codicil.
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname	given name(s)	**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____ _____
A Commissioner, etc.

_____
Signature of Applicant

Name surname	given name(s)	**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____ _____
A Commissioner, etc.

_____
Signature of Applicant

R.R.O. 1980, Reg. 925, Form 3, *revised.*

Form 4

Ontario Court (General Division)

Application for Administration *with Will Annexed*

This Application is filed by

Details of Deceased

Name surname given name(s) (if applicable) commonly known as

Fixed place of abode street or postal address | city, town, etc. | county or district

If no fixed abode in Ontario, did deceased have assets in this jurisdiction?
☐ No ☐ Yes

Last occupation

Place of death city, town, etc. | county or district

Date of death day, month, year

Date of last will Exhibit "A" day, month, year

Was deceased 18 years of age or over at date of will, or 21 years of age or over if will was dated prior to September 1, 1971?
☐ No ☐ Yes If "no," why is administration being sought? Give details in an attached schedule.

Codicils Exhibit "B" day, month, year

Exhibit "C" day, month, year

Marital status
☐ Unmarried ☐ Widower ☐ Divorced
☐ Married ☐ Widow

Did the deceased marry after the date of the will?
☐ No ☐ Yes If "yes," why is administration being sought? Give details in an attached schedule.

Was a marriage of the deceased terminated by a judgment absolute of divorce or declared a nullity after the date of the will?
☐ No ☐ Yes If "yes," give details in an attached schedule.

Is any witness to the will (or codicil) or the person signing for the testator, or the spouse of such person, a beneficiary?
☐ No ☐ Yes If "yes," give details in an attached schedule.

Was the deceased, immediately before the death, living in a conjugal relationship outside marriage with a person of the opposite sex?
☐ No ☐ Yes
If "yes," give the person's name and address:

Value of Estate Do not include in the *Total*, insurance payable to a named beneficiary, or assigned for value; assets held on joint account and passing by survivorship, real estate situate out of Ontario.

Personalty	Real Estate (net)	Total
$	$	$

Affidavits of Verification and Applicants' details (Attach a separate sheet for additional Affidavits and Applicants' details, if necessary)
State grounds of Applicants' right to apply. Attach schedule if insufficient space.

I, an Applicant named herein, make oath and say:
1 I am of the full age of eighteen years.
2 I have identified the will (and each codicil) marked as Exhibits as shown in the Application, by signing same, and know of no subsequent will or codicil
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname given name(s) | **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____

A Commissioner, etc. | Signature of Applicant

Name surname given name(s) | **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____

A Commissioner, etc. | Signature of Applicant

Name surname given name(s) | **Occupation**

Address street or | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____

A Commissioner, etc. | Signature of Applicant

O. Reg. 213/88, s. 1, *part, revised.*

Form 5

Ontario Court (General Division)

Application for Administration *with Will Annexed (Corporate Applicant)*

This Application is filed by

Details of Deceased

Name surname | given name(s) | (if applicable) commonly known as

Fixed place of abode street or postal address | city, town, etc. | county or district

If no fixed abode in Ontario, did deceased have assets in this jurisdiction?
☐ No ☐ Yes

Last occupation

Place of death city, town, etc. | county or district

Date of death day, month, year

Date of last will Exhibit "A" day, month, year

Was deceased 18 years of age or over at date of will, or 21 years of age or over if will was dated prior to September 1, 1971?
☐ No ☐ Yes If "no," why is administration being sought? Give details in an attached schedule.

Codicils Exhibit "B" day, month, year | Exhibit "C" day, month, year

Marital status
☐ Unmarried ☐ Widower ☐ Divorced
☐ Married ☐ Widow

Did the deceased marry after the date of the will?
☐ No ☐ Yes If "yes," why is administration being sought? Give details in an attached schedule.

Was a marriage of the deceased terminated by a judgment absolute of divorce or declared a nullity after the date of the will?
☐ No ☐ Yes If "yes," give details in an attached schedule.

Is any witness to the will (or codicil) or the person signing for the testator, or the spouse of such person, a beneficiary?
☐ No ☐ Yes If "yes," give details in an attached schedule.

Was the deceased, immediately before the death, living in a conjugal relationship outside marriage with a person of the opposite sex?
☐ No ☐ Yes
If "yes," give the person's name and address:

Value of Estate Do not include in the *Total*, insurance payable to a named beneficiary, or assigned for value, assets held on joint account and passing by survivorship, real estate situate out of Ontario

Personalty	Real Estate (net)	Total
$	$	$

Affidavits of Verification and Applicants' details (Attach a separate sheet for additional Affidavits and Applicants' details, if necessary.)
State grounds of Applicants' right to apply. Attach schedule if insufficient space.

I, a Trust Officer named herein, make oath and say:
1 I am a Trust Officer of the corporate applicant and am of the full age of eighteen years.
2 I have identified the will (and each codicil) marked as Exhibits as shown in the Application, by signing same, and know of no subsequent will or codicil.
3 The corporate applicant will faithfully administer the property of the deceased according to law, and render a just, full and true account of its administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name of corporate applicant | **Name of Trust Officer**

Address of corporate applicant street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____.

_____ A Commissioner, etc.

_____ Signature of Trust Officer

I, an Applicant named herein, make oath and say:
1 I am of the full age of eighteen years.
2 I have identified the will (and each codicil) marked as Exhibits as shown in the Application, by signing same, and know of no subsequent will or codicil.
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname | given name(s) | **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____.

_____ A Commissioner, etc.

_____ Signature of Applicant

O. Reg. 213/88, s. 1, *part, revised.*

Form 6

In the
Ontario Court (General Division)

Additional Affidavits of Verification and Applicants' details
To be attached, if necessary, to the
Application for Administration with Will Annexed

I, an Applicant named herein, make oath and say:

1 I am of the full age of eighteen years.
2 I have identified the will (and each codicil) marked as Exhibits as shown in the Application, by signing same, and know of no subsequent will or codicil.
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname	given name(s)	**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____.

_____
A Commissioner, etc.

_____
Signature of Applicant

Name surname	given name(s)	**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____.

_____
A Commissioner, etc.

_____
Signature of Applicant

R.R.O. 1980, Reg. 925, Form 6, *revised.*

Form 7

In the
Ontario Court (General Division)

Application for Administration

This Application is filed by

Details of Deceased

Name surname given name(s) (if applicable) commonly known as

Fixed place of abode street or postal address | city, town, etc. | county or district

If no fixed abode in Ontario, did deceased have assets in this jurisdiction?
☐ No ☐ Yes

Last occupation

Place of death city, town, etc. | county or district | **Date of death** day, month, year

Marital status
☐ Unmarried ☐ Widower ☐ Divorced
☐ Married ☐ Widow

Was any prior marriage of any person with whom the deceased went through a form of marriage dissolved or annulled?
☐ No ☐ Yes If "yes," give details in an attached schedule.

Was any marriage of the deceased dissolved or annulled?
☐ No ☐ Yes If "yes," give details in an attached schedule.

Did the deceased go through a form of marriage with any person, where it appears uncertain whether a prior marriage of the deceased had been dissolved or annulled?
☐ No ☐ Yes If "yes," give name and address of such person and the names and addresses of all issue of such purported subsequent marriage, in an attached schedule.

Was the deceased, immediately before the death, living in a conjugal relationship outside marriage with a person of the opposite sex?
☐ No ☐ Yes
If "yes," give the person's name and address:

Persons entitled to share on the Intestacy

Name Address Relationship Age if under 18

Value of Estate Do not include in the *Total*, insurance payable to a named beneficiary, or assigned for value; assets held on joint account and passing by survivorship; real estate situate out of Ontario.	**Personalty**	**Real Estate (net)**	**Total**
	$	$	$

Affidavits of Verification and Applicants' details

(Attach a separate sheet for additional Affidavits and Applicants' details, if necessary.)
State grounds of Applicants' right to apply

I, an Applicant named herein, make oath and say:
1 I am of the full age of eighteen years.
2 I have made a careful search and inquiry for a will or other testamentary paper and none could be found and I believe that no will or testamentary paper was left by the deceased.
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname given name(s) **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____. _____
A Commissioner, etc.

_____
Signature of Applicant

Name surname given name(s) **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____. _____
A Commissioner, etc.

_____
Signature of Applicant

O. Reg. 213/88, s. 1, *part, revised.*

Form 8

In the
Ontario Court (General Division)

Application for Administration *(Corporate Applicant)*

Details of Deceased

This Application is filed by

Name surname given name(s) (if applicable) commonly known as

Fixed place of abode street or postal address | city, town, etc. | county or district

If no fixed abode in Ontario, did deceased have assets in this jurisdiction?
☐ No ☐ Yes

Last occupation

Place of death city, town, etc | county or district | Date of death day, month, year

Marital status
☐ Unmarried ☐ Widower ☐ Divorced
☐ Married ☐ Widow

Was any marriage of the deceased dissolved or annulled?
☐ No ☐ Yes If "yes," give details in an attached schedule.

Was any prior marriage of any person with whom the deceased went through a form of marriage dissolved or annulled?
☐ No ☐ Yes If "yes," give details in an attached schedule.

Did the deceased go through a form of marriage with any person, where it appears uncertain whether a prior marriage of the deceased had been dissolved or annulled?
☐ No ☐ Yes If "yes," give name and address of such person and the names and addresses of all issue of such purported subsequent marriage, in an attached schedule.

Was the deceased, immediately before the death, living in a conjugal relationship outside marriage with a person of the opposite sex?
☐ No ☐ Yes
If "yes," give the person's name and address:

Persons entitled to share on the Intestacy

Name | Address | Relationship | Age if under 18

Value of Estate Do not include in the *Total*, insurance payable to a named beneficiary, or assigned for value; assets held on joint account and passing by survivorship, real estate situate out of Ontario	Personalty $	Real Estate (net) $	Total $

Affidavits of Verification and Applicants' details (Attach a separate sheet for additional Affidavits and Applicants' details, if necessary.)
State grounds of Applicants' right to apply.

I, a Trust Officer named herein, make oath and say:
1 I am a Trust Officer of the corporate applicant and am of the full age of eighteen years.
2 The corporate applicant has caused to be made a careful search and inquiry for a will or other testamentary paper and none could be found and I believe that no will or testamentary paper was left by the deceased.
3 The corporate applicant will faithfully administer the property of the deceased according to law, and render a just, full and true account of its administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name of corporate applicant | Name of Trust Officer

Address of corporate applicant street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____ _____
this _____
day of _____ 19____. _____ _____
A Commissioner, etc. Signature of Trust Officer

I, an Applicant named herein, make oath and say:
1 I am of the full age of eighteen years.
2 I have made a careful search and inquiry for a will or other testamentary paper and none could be found and I believe that no will or testamentary paper was left by the deceased.
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname given name(s) | Occupation

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____ _____
this _____
day of _____ 19____. _____ _____
A Commissioner, etc. Signature of Applicant

O. Reg. 213/88, s. 1, *part, revised.*

Form 9

In the
Ontario Court (General Division)

Additional Affidavits of Verification and Applicants' details
To be attached, if necessary, to the
Application for Administration

I, an Applicant named herein, make oath and say:

1 I am of the full age of eighteen years.
2 I have made a careful search and inquiry for a will or other testamentary paper and none could be found and I believe that no will or testamentary paper was left by the deceased.
3 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
4 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname	given name(s)	**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____.

_____
A Commissioner, etc.

_____
Signature of Applicant

Name surname	given name(s)	**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____.

_____
A Commissioner, etc.

_____
Signature of Applicant

R.R.O. 1980, Reg. 925, Form 9, *revised.*

Form 10

In the
Ontario Court (General Division)

Affidavit of Execution of Will

In the matter of the Execution of the Will of

I, _____

of the _____

of _____

in the _____

of _____

make oath and say:

1. On or about

the _____ day of _____ 19____ , I was present and saw the paper writing annexed and marked as Exhibit "A" to this my Affidavit executed by

_____

2. At the time of execution I knew such person who was on that date of the full age of eighteen years (or if prior to September 1, 1971 was of the full age of twenty-one years) to the best of my knowledge.

3. The said paper writing was executed by such person in the presence of myself, and

_____ of the _____

of _____ in the _____

of _____ , and we were both present at the same time, whereupon we did, in the presence of such person, attest and subscribe the said paper writing as witnesses.

Sworn before me at the _____

of _____

in the _____

of _____

this _____ day of _____ 19____

_____
A Commissioner, etc.

_____
Signature

NOTE: If testator made his or her mark or was blind add the following paragraph to the above Affidavit.

4. Before its execution the said paper writing was read over to such person who made his or her mark or was blind, and who appeared to understand the contents.

WARNING: A beneficiary or the spouse of a beneficiary should not be a witness.

R.R.O. 1980, Reg. 925, Form 10, *revised.*

Form 11

In the
Ontario Court (General Division)

Affidavit of Execution of a *Codicil to a Will*

In the matter of the Execution of a Codicil to the Will of

I, _____

of the _____

of _____

in the _____

of _____

make oath and say:

1. On or about

   the _____ day of _____ 19 _____ , I was present and saw the paper writing annexed and marked as Exhibit "A" to this my Affidavit executed by

   _____

2. At the time of execution I knew such person who was on that date of the full age of eighteen years (or if prior to September 1, 1971 was of the full age of twenty-one years) to the best of my knowledge.

3. The said paper writing was executed by such person in the presence of myself, and

   _____ of the _____

   of _____ in the _____

   of _____, and we were both present at the same time, whereupon we did, in the presence of such person, attest and subscribe the said paper writing as witnesses.

Sworn before me at the _____

of _____

in the _____

of _____

this _____ day of _____ 19 _____ .

_____ _____
A Commissioner, etc. Signature

NOTE: If testator made his or her mark or was blind add the following paragraph to the above Affidavit.

4. Before its execution the said paper writing was read over to such person who made his or her mark or was blind, and who appeared to understand the contents.

WARNING: A beneficiary or the spouse of a beneficiary should not be a witness.

R.R.O. 1980, Reg. 925, Form 11, *revised.*

Form 12

In the
Ontario Court (General Division)

_____

Affidavit proving Execution of a *Holograph Will*

This Affidavit may be varied as required.

In the Estate of

_____ **deceased**

I, _____

of the _____

of _____

in the _____

of _____

make oath and say:

1. I knew and was well acquainted with the said deceased and have frequently seen him write and sign his name and I am well acquainted with his handwriting.

2. The document bearing date

   the _____ day of _____ 19_____ , now produced and shown to me and marked as Exhibit "A" to this my Affidavit purports to be and contain the last will and testament of the deceased.

3. I verily believe the whole of the said document together with the signature

   _____ subscribed thereto, to be the handwriting of the deceased.

Sworn before me at the _____

of _____

in the _____

of _____

this _____ day of _____ 19_____ .

_____
A Commissioner, etc.

_____
Signature

R.R.O. 1980, Reg. 925, Form 12, *revised.*

Form 13

In the
Ontario Court (General Division)

Affidavit of Condition of Will or Codicil

In the matter of the Execution of a Will or Codicil of

I, _____

of the _____

of _____

in the _____

of _____

make oath and say:

1. On or about

the _____ day of _____ 19____, I was present and saw the document marked as Exhibit "A" to this my Affidavit executed by

_____

2. The following alterations, erasures, obliterations or interlineations that have not been attested appear in the said document:

3. The said document is now in the same condition as when executed.

Sworn before me at the _____

of _____

in the _____

of _____

this _____ day of _____, 19____.

_____ _____
A Commissioner, etc. Signature

NOTES:
(i) If paragraph 3. is not correct - add the words **"except that"** and provide details of the exceptions.
(ii) If there are too many changes to be accounted for within the spaces on the form as printed, please do not attach schedules but instead prepare a new affidavit.

O. Reg. 845/82, s. 7, *revised.*

Form 14

CANADA
PROVINCE OF ONTARIO

NOTICE OF APPLICATION FOR GRANT OF PROBATE OR ADMINISTRATION

.....
File No.

IN THE ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF .....

late of ..... who died on

or about .....

TAKE NOTICE that an application for a grant in respect of the property of the above-named deceased has been made to this Court by

Name(s)
and P.O.
Address(es)

IT IS HEREBY CERTIFIED that search has been made in my office for any will or testamentary paper executed by the above-named deceased, that no such will or testamentary paper is in said office, nor has any such will or testamentary paper been deposited with me for safekeeping.

DATED ....., 19.... .....
Local Registrar

IT IS HEREBY CERTIFIED that in respect of the property of the above-named deceased, no notice of application for a grant of probate or administration has been received by me from any local registrar of the Ontario Court (General Division) save the above,

AND NO caveat or copy of a caveat has been lodged with or received by me within the six-month period immediately preceding the date hereof.

Dated at .....,

this ..... day of ....., 19....

.....
Estate Registrar for Ontario

O. Reg. 845/82, s. 8, *part, revised.*

Form 15

Courts of Justice Act

RENUNCIATION OF PROBATE

In the Ontario Court (General Division)

In the Estate of ....., deceased.

I, ..., state:

The deceased died on the ..... day of ....., 19.....

I was named an executor in the deceased's will (codicil) dated the ..... day of

....., 19.....

I renounce my right to probate.

Dated this ..... day of ....., 19.....

Witness

)
)
)
)
)
.....) .....

O. Reg. 242/89, s. 2, *part, revised.*

Form 16

Courts of Justice Act

RENUNCIATION OF ADMINISTRATION AND NOMINATION

In the Ontario Court (General Division)

In the Estate of ....., deceased

I, ..., state:

The deceased died on the ..... day of .....,

19....., intestate.

I am a person entitled to apply for administration of the estate of the deceased.

I renounce my right to administration of the estate of the deceased.

(*Delete if inapplicable*) I nominate .....

..... to act as administrator

(*Delete if inapplicable*) of the estate of the deceased, without security.

Dated this ..... day of ....., 19.....

Witness

)
)
)
)
)
.....) .....

O. Reg. 242/89, s. 2, *part, revised.*

Form 17

Courts of Justice Act

RENUNCIATION OF ADMINISTRATION WITH WILL ANNEXED AND NOMINATION

In the Ontario Court (General Division)

In the Estate of ....., deceased

I, ..., state:

The deceased died on the ..... day of ....., 19.....

The deceased left a will dated the ..... day

of ..... , 19..... and codicil(s) dated

(*Delete if inapplicable*) the ..... day of ....., 19.....

No one is entitled to probate.

I am a person entitled to apply for administration with will annexed of the estate of the deceased.

I renounce my right to administration with will annexed of the estate of the deceased.

(*Delete if inapplicable*) I nominate .....

..... to act as administrator

(*Delete if inapplicable*) with will annexed of the estate of the deceased, without security.

Dated this ..... day of ....., 19.....

Witness

)
)
)
)
)
.....) .....

O. Reg. 242/89, s. 2, *part, revised.*

Form 18

ADMINISTRATION BOND

Know all persons by these presents that we, C.D., of (*full address*) in the County of ....., (*occupation*), administrator, E.F., of (*full address*) in the County of ....., (*occupation*), surety and G.H., of (*fill address*) in the County of ....., (*occupation*), surety, are jointly and severally bound unto the Judge of the Ontario Court (General Division), in the sum of $ ....., to be paid to the said judge; for which payment, well and truly to be made, we bind ourselves and each of us for the whole, our and each of our heirs, executors and administrators, firmly by these presents. Sealed with our seals.

The condition of this obligation is such that, if the above-named administrator of all the property (*or as the case may be*), of A.B., late of the ..... of ....., in the County of ....., deceased, who died on or about ....., 19...., do, when lawfully called on in that behalf, make or cause to be made a true and perfect inventory of all the property of the said deceased, which has or shall come into the hands, possession, or knowledge of the said administrator, or into the hands or possession of any other person or persons for the said administrator, and the same so made do exhibit or cause to be exhibited into the Registry of the said Ontario Court (General Division), when thereunto lawfully required, and the same property, and all other property of the deceased at the time of death, which at any time after shall come into the hands or possession of C.D., or into the hands or possession of any other person or persons for C.D., do well and truly administer according to law: that is to say, do pay the debts that the deceased owed at death, and further, do make, or cause to be made, a just, full and true account of the said administration, when, thereunto lawfully required, and all the rest and residue of the property do deliver and pay unto such person or persons respectively, as are entitled thereto; and if it hereafter appears that any last will or testament was made by the deceased, and the executor or executors therein named do exhibit the same unto the said Court, making request to have it allowed and approved accordingly, if C.D., being thereunto required, do render and deliver the said letters of administration to the said Court; then this obligation to be void and of no effect, or else to remain in full force and virtue.

Dated ....., 19...

Signed, sealed and delivered in the presence of) [L.S.]
) [L.S.]
) [L.S.]
.....)

R.R.O. 1980, Reg. 925, Form 19, *revised.*

Form 19

ADMINISTRATION BOND FOR ADMINISTRATION WITH WILL ANNEXED

Know all persons by these presents that we, C.D. of (*full address*) in the County of ....., (*occupation*), administrator, E.F., of (*full address*) in the County of ..... (*occupation*), surety, and G.H., of (*full address*) in the County of ....., (*occupation*), surety, are jointly and severally bound unto the Judge of the Ontario Court (General Division), in the sum of $ ....., to be paid to the said Judge; for which payment, well and truly to be made, we bind ourselves and each of us for the whole, our and each of our heirs, executors and administrators, firmly by these presents. Sealed with our seals.

The condition of this obligation is such that, if the above-named administrator of all the property (*or as the case may be*), of A.B., late of the ..... of ....., in the County of ....., deceased, who died on or about ....., 19..., do, when lawfully called on in that behalf, make or cause to be made a true and perfect inventory of all the property of the said deceased, which has or shall come into the hands, possession, or knowledge of the said administrator, or into the hands or possession of any other person or persons for the said administrator, and the same so made do exhibit or cause to be exhibited into the Registry of the said Ontario Court (General Division), when thereunto lawfully required, and the same property, and all other property of the deceased at the time of death, which at any time after shall come into the hands or possession of C.D., or into the hands or possession of any other person or persons for C.D., do well and truly administer according to law: that is to say, do pay the debts which the deceased owed at his or her decease, and then the legacies contained in the will annexed to the letters of administration to C.D., committed so far as such property shall thereunto extend and the law bind C.D.; and further do make or cause to be made, a just, full and true

account of C.D.'s administration when lawfully required, and all the rest and residue of the property, shall deliver and pay unto such person or persons as are by law entitled thereto, then this obligation to be void and of no effect, or else, to remain in full force and virtue.

Signed, sealed and delivered) [L.S.]
in the presence of) [L.S.]
) [L.S.]
.....)

R.R.O. 1980, Reg. 925, Form 20, *revised.*

Form 20

AFFIDAVIT OF EXECUTION OF BOND

In the Ontario Court (General Division)

In the estate of A.B., deceased.

I, K.L., etc., make oath and say:

1. That I was personally present and did see the within (*or* annexed) bond duly executed, signed and sealed by C.D., E.F., and G.H., the parties therein named.

2. That I know the parties so executing.

3. That the bond was so executed by the parties at the ..... of .....,

in the County of .....

4. That I am the subscribing witness to the execution (*If any of the parties have made his or her mark instead of writing his or her signature, add:*)

5. That before execution the bond was read over and explained to

..... , who appeared perfectly to understand it and whose mark was made thereto in my presence.

Sworn, etc.

Affidavits of execution of renunciation, nomination, consent or other documents requiring proof shall be in the same form, naming the instrument, and leaving out the word "sealed".

R.R.O. 1980, Reg. 925, Form 21, *revised.*

Form 21

BOND OF FOREIGN EXECUTORS

SAME AS FORM 19 WITH APPROPRIATE CHANGES

R.R.O. 1980, Reg. 925, Form 22, *revised.*

Form 22

AFFIDAVIT OF JUSTIFICATION
BY SURETIES

In the Ontario Court (General Division)

In the estate of ....., deceased.

We, E.F. of (*full address*) in the County of .....

....., (*occupation*), and G.H. of

(*full address*) in the County of ....., (*occupation*), severally make oath and say that we are the proposed sureties on behalf of the intended administrator of the property (*or as the case may be*) of ....., deceased, in the within bond named, for the faithful administration of the said property (*or as the case may be*) of the deceased; and I, E.F., for myself make

oath and say that I reside at the ..... of .....,

in the County of ..... and I am of the full age of eighteen years and am worth property to the

amount of $..... over and above all encumbrances, and over and above what will pay my just debts and every sum of which I am now bail, or for which I am liable as surety or endorser or otherwise; and I, G.H., for myself make oath and say that I reside at the

..... of

....., in the County of .....,
and I am of the full age of eighteen years and am worth property to

the amount of $..... over and above all encumbrances, and over and above what will pay my just debts and every other sum for which I am now bail or for which I am liable as surety or endorser or otherwise.

Sworn, etc.

Sworn before me at the

..... of .....

in the .....

of .....,

this ..... day of ....., 19.....

....
A Commissioner, etc. Signatures

R.R.O. 1980, Reg. 925, Form 23, *revised.*

Form 23

In the
Ontario Court (General Division)

Application for Double Probate

This Application is filed by

Details of Deceased

Name surname given name(s) (if applicable) commonly known as

Particulars of First Grant
Name(s) of Executor(s)

Date of Grant
day, month, year

Value of Unadministered Assets of Estate	Personalty	Real Estate (net)	Total
	$	$	$

Affidavits of Verification and Applicants' details

(Attach a separate sheet for additional Affidavits and Applicants' details, if necessary.)
State grounds of Applicants' right to apply.

I, a Trust Officer named herein, make oath and say:

1 I am a Trust Officer of the corporate applicant and am of the full age of eighteen years.
2 The corporate applicant will faithfully administer the property of the deceased according to law, and render a just, full and true account of its administration when lawfully required.
3 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name of corporate executor **Name of Trust Officer**

Address of corporate executor street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____.

_____
A Commissioner, etc.

_____
Signature of Trust Officer

I, an Applicant named herein, make oath and say:

1 I am of the full age of eighteen years.
2 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
3 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname given name(s) **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19____.

_____
A Commissioner, etc.

_____
Signature of Applicant

R.R.O. 1980, Reg. 925, Form 24, *revised.*

Form 24

Application for Administration *de Bonis Non Administratis*

In the
Ontario Court (General Division)

This Application is filed by

Details of Deceased

Name surname given name(s) (if applicable) commonly known as

Particulars of First Grant Name of Administrator	**Date of Grant** day, month, year	**Date of Death of Administrator** day, month, year

Persons entitled to share on the Intestacy at date hereof (If insufficient space, attach schedule.)

Name	Address	Relationship	Age if under 18

Value of Unadministered Assets of Estate	**Personalty**	**Real Estate (net)**	**Total**
	$	$	$

Affidavits of Verification and Applicants' details (Attach a separate sheet for additional Affidavits and Applicants' details, if necessary.)
State grounds of Applicants' right to apply.

I, a Trust Officer named herein, make oath and say:
1 I am a Trust Officer of the corporate applicant and am of the full age of eighteen years.
2 The corporate applicant will faithfully administer the property of the deceased according to law, and render a just, full and true account of its administration when lawfully required.
3 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name of corporate applicant	**Name of Trust Officer**	
Address of corporate applicant street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____

_____ A Commissioner, etc.

_____ Signature of Trust Officer

I, an Applicant named herein, make oath and say:
1 I am of the full age of eighteen years.
2 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
3 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname given name(s)		**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____

_____ A Commissioner, etc.

_____ Signature of Applicant

R.R.O. 1980, Reg. 925, Form 25, *revised.*

Form 25

In the
Ontario Court (General Division)

Application for Administration *de Bonis Non Administratis with Will Annexed*

Details of Deceased | **This Application is filed by**

Name surname given name(s) (if applicable) commonly known as

Particulars of First Grant Name of Executor	**Date of Grant** day, month, year	**Date of Death of Executor** day, month, year

Names of all the Beneficiaries who still have an interest in the Estate (If insufficient space, attach schedule.)

Name	Address	Relationship	Age if under 18

Value of Unadministered Assets of Estate	**Personalty**	**Real Estate (net)**	**Total**
	$	$	$

Affidavits of Verification and Applicants' details (Attach a separate sheet for additional Affidavits and Applicants' details, if necessary.)
State grounds of Applicants' right to apply.

I, a Trust Officer named herein, make oath and say:
1 I am a Trust Officer of the corporate applicant and am of the full age of eighteen years.
2 The corporate applicant will faithfully administer the property of the deceased according to law, and render a just, full and true account of its administration when lawfully required.
3 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name of corporate applicant | **Name of Trust Officer**

Address of corporate applicant street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____

_____ A Commissioner, etc.

_____ Signature of Trust Officer

I, an Applicant named herein, make oath and say:
1 I am of the full age of eighteen years.
2 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
3 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname given name(s) | **Occupation**

Address street or postal address | city, town, etc. | county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____

_____ A Commissioner, etc.

_____ Signature of Applicant

R.R.O. 1980, Reg. 925, Form 26, *revised.*

Form 26

Additional Affidavits of Verification and Applicants' details
To be attached, if necessary, to the
Application for Double Probate, Application for Administration de Bonis Non Administratis, Application for Administration de Bonis Non Administratis with Will Annexed

In the
Ontario Court (General Division)

_____

I, an Applicant named herein, make oath and say:

1 I am of the full age of eighteen years.
2 I will faithfully administer the property of the deceased according to law, and render a just, full and true account of my administration when lawfully required.
3 The information contained in the Application and in any attached schedules and sheets is true to the best of my knowledge and belief.

Name surname	given name(s)	**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____ . _____
A Commissioner, etc.

_____
Signature of Applicant

Name surname	given name(s)	**Occupation**
Address street or postal address	city, town, etc.	county or district

Sworn before me at the _____
of _____ in the _____
of _____
this _____
day of _____ 19 ____ . _____
A Commissioner, etc.

_____
Signature of Applicant

R.R.O. 1980, Reg. 925, Form 27, *revised.*

Form 27

LETTERS

CANADA
PROVINCE OF ONTARIO

IN THE ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF

....., Deceased

late of .....

occupation .....

died on .....

Applicant(s)	*Address*	*Occupation*
.....	.....	.....
.....	.....	.....
.....	.....	.....

Pursuant to the Order of the Judge of the Ontario Court (General Division)

Letters ..... of the Last Will and Testament and codicil(s) of the above-named deceased, a true copy of which is hereto annexed, are hereby issued under the seal of the Court to the above named Applicant(s)

this ..... day of ....., 19.....

.....
Local Registrar

O. Reg. 501/84, s. 1, *revised.*

Form 28

LETTERS
OF ADMINISTRATION

CANADA
PROVINCE OF ONTARIO

IN THE ONTARIO COURT (GENERAL DIVISION)

IN THE ESTATE OF

....., Deceased

late of .....

occupation .....

died on .....

Applicant(s)	*Address*	*Occupation*
.....	.....	.....
.....	.....	.....
.....	.....	.....

Pursuant to the Order of the Judge of the Ontario Court (General Division) .....

Letters of Administration .....
are hereby issued under the seal of the Court to the above named Applicant(s)

this ..... day of ....., 19.....

.....
Local Registrar

O. Reg. 501/84, s. 2, *revised.*

Form 29

EXEMPLIFICATION OF PROBATE OR LETTERS OF ADMINISTRATION WITH WILL ANNEXED

CANADA

Province of Ontario

In Her Majesty's Ontario Court (General Division).

Be it known that, upon search being this day made in Her Majesty's Ontario Court (General Division) in the County of ....., it plainly appears that on the ..... day of ....., 19..... , the last will and testament (with codicils) of ....., late of the ..... of ....., in the County of ....., deceased, who died at ..... on or about the ..... day of ....., 19....., and had at the time of *his or her* death a fixed place of abode at the ..... of ....., in the said County of ..... (*or as the case may be*) was proved by ..... of the ..... of ..... in the County of ....., ..., the executor therein named [*or* that on the ..... day of ....., 19..., letters of administration with the last will and testament (and codicils) annexed of the property of ....., late of, etc., were granted to ....., of the ..... of .....,

in the County of .....] and which said probate (*or* letters of administration) now remains of record in the said Ontario Court (General Division). The true tenor of the said probate (*or* letters of administration with the will annexed) is in the words following, to wit (*here the probate or letters of administration, with copy of will, are to be recited verbatim*).

In faith whereof these letters testimonial are issued.

Given at the ..... of ....., in the County of ....., this ..... day of, etc.

.....
Local Registrar

(Seal)

R.R.O. 1980, Reg. 925, Form 29, *revised.*

Form 30

CITATION TO PARTIES CONCERNED

In the Ontario Court (General Division).

In the estate of A.B., deceased.

To E.F., of (etc.), Greeting.

Whereas an application has been made to this Court for probate of an alleged will of the above named A.B., bearing date the ..... day of ....., 19..., *(and whereas the validity of the will has been brought into question by C.D., of ....., one of the next of kin of the deceased, who opposes the granting of probate thereof), and whereas it is desirable that the validity of the alleged will should be determined once and for all after notice to all concerned in the said estate:

You are therefore required to enter an appearance in the office of the Local Registrar of this Court, at the Court House at ....., within ..... days after service upon you of this citation, inclusive of the day of service, if you desire to take part in the determination of this question.

In the event of your failing to enter an appearance you will have no further notice of the proceeding, and the validity of the will in question will be determined in your absence and you will be bound thereby.

The alleged will may be seen at the office of the Local Registrar.

Dated, etc.

.....
Judge

**If no contest and proof in solemn form alone is sought, omit this clause.*

R.R.O. 1980, Reg. 925, Form 30, *revised.*

Form 31

APPEARANCE

In the Ontario Court (General Division).

In the estate of A.B., deceased.

I, C.D., etc., of ....., desire to contest the validity of the alleged will of the above named deceased, propounded for probate by E.F., and say that it should not be admitted to probate for the following reasons (*here state reasons, eg.*, that it was not duly executed, *or* that the alleged signature is not the signature of the said A.B., *or* that the execution of the said will was procured by fraud and undue influence, *or* that at the time of the making of the said will the said A.B. had not testamentary capacity, *or as the case may be*).

My address for service is .....

Dated, etc.,

C.D., (*or*)
C.D., by X.Y., his or her solicitor.

R.R.O. 1980, Reg. 925, Form 31, *revised.*

Form 32

ORDER ON MOTION FOR DIRECTIONS

(*Example Only*)

In the Ontario Court (General Division).

In the estate of A.B., deceased.

His or Her Honour ..... in Chambers ..... day,

the ..... day of ....., 19.....

On the motion of E.F., who has propounded for probate an alleged will, purporting to have been made by the said deceased

A.B., on the ..... day of ....., 19....., in the presence of counsel for C.D., who has filed a caveat, and, upon being warned, has entered an appearance thereto, and it appearing that G.H. and H.H. are also next of kin of the said deceased, and that M.D. and N.D. are interested under the will and that the aforementioned persons are all those interested in either attacking or upholding the validity of the alleged will, I caused a citation to be served upon them, and M.D. and N.D. having entered an appearance and having been notified to the motion and G.H. and H.H. not having appeared;

I do order that E.F. do attend and submit to an examination for discovery at such time as may be appointed during the week com-

mencing .....,
on service of two days' notice of the appointment upon E.F.'s solici-

tor and upon payment of $ .....
conduct money.

*

And I do direct that the issues to be tried be as follows:

..... affirm and .....
denies that the will was duly executed by A.B.

or ..... affirm and ..... denies that the making of the will was procured by the fraud and undue influence

of ..... (etc., etc., *as the case may be*).

And I direct that the issues shall be tried before me without a jury

at the Court House at .....,

on the ..... day of ....., 19.....,

at ..... a.m. (*or* p.m.).

**Here insert order for production of papers or any further direction found necessary.*

R.R.O. 1980, Reg. 925, Form 32, *revised.*

Form 33

CAVEAT

In the Ontario Court (General Division).

In the estate of A.B., deceased.

Let nothing be done in the estate of A.B. of .....

....., in the ..... of .....,

without notice to C.D., of ....., in the

County of .....

C.D. is (*state relationship and interest in the estate*).

This caveat is entered for the reason (*state the reason, eg.*, The deceased was at the time of his or her death without testamentary capacity, *or* C.D. has reason to fear and does fear that A.B. was procured to make a will by undue influence and fraud).

Dated, etc.

C.D., ...
Address for service

R.R.O. 1980, Reg. 925, Form 33, *revised.*

Form 34

AFFIDAVIT TO ACCOMPANY CAVEAT

In the Ontario Court (General Division).

In the estate of A.B., deceased.

I, C.D., of the ..... of ....., in

the County of ....., make oath and say:

1. That I am (*state nature of deponent's interest in estate*).

2. That the caveat that is filed or is to be filed by me in this matter is not entered for the purpose of delay or to embarrass any person interested in the estate.

Sworn, etc.

R.R.O. 1980, Reg. 925, Form 34, *revised.*

Form 35

WARNING TO CAVEAT

In the Ontario Court (General Division).

In the estate of A.B., deceased.

To C.D., etc. Greeting.

Whereas you by your caveat required notice to be given to you of any application that might be made in the matter of this estate,

You are now warned that on the ..... day of

....., 19....., E.F., of the

..... of ....., filed in this Court a petition asking (*state nature of application and, if probate is sought, give date of will*).

You are therefore warned that, unless you cause an appearance to be entered hereto within ten days from this date stating your desire to contest such application and the nature of your objection thereto, such application will be dealt with without further notice to you and you will be regarded as assenting thereto.

Your appearance must be entered at my office in the Court House

at ....., on or

before the ..... day of ....., 19.....

Dated, etc.

.....
Local Registrar

R.R.O. 1980, Reg. 925, Form 35, *revised.*

Form 36

CITATION TO BRING IN A TESTAMENTARY PAPER

In the Ontario Court (General Division).

In the estate of A.B., deceased.

To E.F., etc. Greeting.

Whereas it is alleged by ....., of the ..... of ....., that a testamentary document signed by A.B., of the ..... of ....., who died on or about ..... day of ....., 19....., is in the possession of you, the above named E.F.

You are therefore ordered and directed to bring into the office of the Local Registrar of this Court, at the Court House, in the ..... of ....., and there leave any testamentary paper signed by A.B., which is now in your possession, power or control, within ..... days after service of this citation upon you.

In the event of no such document being now in your possession, power and control, you are within the same time to file in the said office an affidavit to that effect and setting forth what knowledge, if any, you may have respecting any testamentary paper signed by the said A.B.

Herein you fail at your peril.

Dated, etc.

.....
Judge

R.R.O. 1980, Reg. 925, Form 36, *revised.*

Form 37

CITATION TO ACCEPT OR REFUSE PROBATE

In the Ontario Court (General Division).

In the estate of A.B., deceased.

..... day, the ..... day of ....., 19.....

Whereas A.B., of the ..... of ....., in the County of ....., ..., died on or about the ..... day of ....., 19....., having made *his or her* last will and testament dated the ..... day of ....., 19....., and having appointed E.F., of the ..... of ....., in the County of ....., ..., executor thereof.

It is ordered that E.F. do, within ..... days after the service hereof upon E.F., accept or refuse probate of the said will, or show cause why letters of administration with the will annexed should not be granted to C.D., of the ..... of ....., in the County of ....., (*occupation*).

And it is ordered that in default of the said E.F. accepting and extracting probate of the will within the time above mentioned, C.D. may proceed to obtain letters of administration with the will annexed to be granted to C.D.

Dated, etc.

.....
Judge

R.R.O. 1980, Reg. 925, Form 37, *revised.*

Form 38

CITATION TO ACCEPT OR REFUSE ADMINISTRATION

In the Ontario Court (General Division).

In the estate of A.B., deceased.

..... day, the ..... day of ....., 19.....

Whereas A.B., of the ..... of ....., in the County of ....., ..., died on the ..... day of ....., 19....., intestate, leaving C.D., and G.H. (*giving names, residences and relationship*).

And whereas J.K., of the ..... of ....., in the County of ....., (*occupation*), is one of the persons entitled in distribution to the estate of the said A.B. (*or* alleges that the said J.K. is a creditor of the said A.B.).

It is ordered that C.D., and G.H., do, within ..... days after the service hereof, enter an appearance in the office of the Local Registrar of this Court at ..... and accept or refuse letters of administration of the estate of the deceased, or show cause why letters of administration should not be granted to J. K.

And it is ordered that, in default of C.D., or G.H., or some of them, so appearing and accepting and extracting such letters of administration within the time above mentioned, J.K. may proceed to obtain letters of administration of the estate.

Dated, etc.

.....
Judge

R.R.O. 1980, Reg. 925, Form 38, *revised.*

Form 39

CITATION TO BRING IN GRANT
WHERE REVOCATION IS SOUGHT

In the Ontario Court (General Division).

In the estate of A.B., deceased.

Whereas an application has been made for the Revocation of a Grant of Probate (*or* letters of administration), issued on the ..... day of ....., etc., to E.F., of the ..... of ....., in the County of ....., ..., as executor of the will of A.B., of the ..... of ....., in the County of ....., (*or* as administrator of the estate of, etc.).

It is ordered that E.F. do, within ..... days after the service hereof upon him, bring into and leave with the Local Registrar the aforesaid Grant, there to remain until such application is determined.

Dated, etc.

.....
Judge

R.R.O. 1980, Reg. 925, Form 39, *revised.*

Form 40

In the Ontario Court (General Division) — Citation to bring in an Inventory

In the matter of the Estate of .....

....., deceased

To:

Upon the Application of .....

....., and upon reading the Affidavit of

....., (and upon hearing what was alleged)

and it appearing that on or about the ..... day of ....., 19....., Letters Probate of the Last Will (Letters of Administration of the Estate) of the said deceased, were issued to you by this Court, and it further appearing that further information should be provided by you relating to the inventory of the estate.

It is ordered that you do within ..... days after service of this order upon you, file in the office of the Local Registrar of this Court an Affidavit setting forth a detailed list of the assets of the estate and values thereof to the best of your knowledge and information.

Dated this ..... day of ....., 19.....

.....
Judge

R.R.O. 1980, Reg. 925, Form 40, *revised.*

Form 41

In the
Ontario Court (General Division)

Citation
to a Beneficiary

In the Estate of .....

.....

To:

Whereas an application has been made for a grant of probate (or letters of administration with will annexed), of a will dated .....

(and a codicil dated) .....

by .....

And whereas it appears from the application that you are a beneficiary under the said will (or codicil) and that you or your spouse witnessed the will (or codicil) (or signed for the testator).

It is ordered that you do, within ..... days after service hereof, enter an appearance at the office of the Local Registrar of

the Court at .....

if you desire to obtain an order finding that neither you nor your spouse exercised any improper or undue influence upon the testator.

And it is ordered that in default of your appearing within the time above mentioned, the applicants may proceed to obtain letters probate (or letters of administration with will annexed), endorsed with the fact that your benefits are void by reason of section 12 of the *Succession Law Reform Act*.

Dated this ..... day of ....., 19.....

.....
Judge

R.R.O. 1980, Reg. 925, Form 41, *revised*.

Form 42

In the
Ontario Court (General Division)

Citation
to a Former Spouse

In the Estate of .....

.....

To:

Whereas subsection 17 (2) of the *Succession Law Reform Act*, provides as follows:

"Except when a contrary intention appears by the will, where, after the testator makes a will, his or her marriage is terminated by a judgment absolute of divorce or is declared a nullity,

(a) a devise or bequest of a beneficial interest in property to his or her former spouse;

(b) an appointment of his or her former spouse as executor or trustee; and

(c) the conferring of a general or special power of appointment on his or her former spouse,

are revoked and the will shall be construed as if the former spouse had predeceased the testator."

And whereas an application has been made for a grant of probate (or letters of administration with will annexed), of a will dated .....

(and a codicil dated) ..... by .....

And whereas it appears from the application that you are a former spouse of the testator, and that your marriage was terminated by a judgment absolute of divorce or declared a nullity after the testator made the will.

It is ordered that you do within ..... days after service hereof, enter an appearance at the office of the Local Registrar of

the Court at .....
if you desire to take part in the determination of the question whether the provisions in the will that affect you are revoked under subsection 17 (2) of the *Succession Law Reform Act.*

And it is ordered that in the event of your failing to enter an appearance the said question will be determined in your absence and you will be bound thereby.

Dated this ..... day of ....., 19.....

.....
Judge

R.R.O. 1980, Reg. 925, Form 42, *revised.*

Form 43

INTERVENTION

In the Ontario Court (General Division).

In the estate of A.B., deceased.

Take notice that I, C.D., of (*full address*) in the County of .....,

(*occupation*), a ..... of the above-named

..... desire notices to be given me of all steps taken in this proceeding.

My address for service is .....
(*or* service may be effected upon X.Y., my solicitor, at his or her

office at .....)

Dated, etc.

C.D., (*or*)
C.D., by X.Y., his or her solicitor.

R.R.O. 1980, Reg. 925, Form 43, *revised.*

Form 44

AFFIDAVIT OF INTERVENTION

In the Ontario Court (General Division).

In the estate of A.B., deceased.

I, ..., of (*full address*) in the County of ....., (*occupation*), make oath and say:

I am (*state nature of deponent's interest in the estate*).

I desire to intervene in the matter solely for the purpose of protecting my interest and in good faith and not for the purpose of delay or from any improper motive.

Sworn, etc.

R.R.O. 1980, Reg. 925, Form 44, *revised.*

Form 45

In the
ONTARIO COURT (GENERAL DIVISION)

APPLICATION TO PASS ACCOUNTS
(page 1)

Details of Deceased	This Application is filed by (solicitors)
Deceased surname given name(s)	
Date of death day, month, year	Date of grant day, month, year
Nature of grant ☐ Probate ☐ Administration ☐ Administration with will annexed	Is this the first passing of accounts? ☐ Yes ☐ No If the answer is "yes", has there been publication of an advertisement for creditors? ☐ Yes ☐ No
Period of Accounts— day, month, year day, month, year from to	Compensation Claimed $

Persons who are or may hereafter be entitled to an interest in the estate

Name Address Age if under 18

.....

NOTE: Attach additional page(s) if necessary.

APPLICATION TO PASS ACCOUNTS
(page 2)

Deceased surname given name(s)		
Details of Corporate Applicant Name	Address	Name of Trust Officer completing affidavit
Details of Individual Applicants Name	Address	Occupation

If an Executor or Administrator is not an applicant, give explanation.

Affidavits of Verification

I, an Applicant or Trust Officer named herein, make oath and say that to the best of my knowledge and belief:

1. The accounts marked as Exhibit "A" to my affidavit are full and correct.
2. The information contained in this Application and in any attached pages is true.
3. All persons interested in the administration of the estate are at least 18 years of age, except where indicated, and have not been found to be mentally incompetent or an absentee.

Sworn before me at the .....

of ..... in the .....

of .....

this ..... day of ..... 19.....

....

A Commissioner, etc. Signature of Applicant or Trust Officer

Sworn before me at the .....

of ..... in the .....

of .....

this ..... day of ..... 19.....

....

A Commissioner, etc. Signature of Applicant

Sworn before me at the .....

of ..... in the .....

of .....

this ..... day of ..... 19.....

....

A Commissioner, etc. Signature of Applicant

O. Reg. 845/82, s. 11, *revised.*

Form 46

In the
Ontario Court (General Division)

Application to Pass Accounts
Inter Vivos Trust

Details of Trust	This Application is filed by (solicitors)
Name of Trust	
Date of Trust day, month, year	Is this the first passing of accounts? ☐ Yes ☐ No
Name of Settlor	
Period of Accounts: day, month, year day, month, year from to	Compensation Claimed $

Persons who are or may hereafter be entitled to an interest in the Trust

Name .....

Address ..... Age if under 18 .....

Name of Trust .....

Details of Corporate Applicant

Name .....

Address .....

.....

Name of Trust Officer completing affidavit

Details of Individual Applicants

Name .....

Address .....

Occupation .....

Affidavits of Verification

I, an Applicant or Trust Officer named herein, make oath and say that to the best of my knowledge and belief:

1. The accounts marked as Exhibit "A" to my affidavit are full and correct.
2. The information contained in this Application and in any attached pages is true.
3. All persons interested in the administration of the Trust are at least 18 years of age, except where indicated, and have not been found to be mentally incompetent or an absentee.

Sworn before me at the .....

of ..... in the .....

of .....

this ..... day of ..... 19.....

....

A Commissioner, etc. Signature of Applicant or Trust Officer

Sworn before me at the .....

of ..... in the .....

of .....

this ..... day of ..... 19.....

....

A Commissioner, etc. Signature of Applicant

Sworn before me at the .....

of ..... in the .....

of .....

this ..... day of ..... 19.....

....

A Commissioner, etc. Signature of Applicant

O. Reg. 501/84, s. 3, *revised.*

Form 47

APPOINTMENT TO PASS ACCOUNTS

In the Ontario Court (General Division)

In the estate of ....., deceased.

Upon reading the application of ....., executor of the estate of the deceased, and the Petitioner having brought in and deposited with the Local Registrar the accounts of the petitioner's receipts and expenditures in respect of the estate;

I hereby appoint the ..... day of ....., 19....., at ..... o'clock in the .....noon, at my Chambers in the Court House, in the ..... of ....., as the time and place for the purpose of examining, auditing and passing the accounts for the period from the ..... day of ....., 19....., to the ..... day of ....., 19.....

And to fix the compensation, if any, to be allowed to the executor for the executor's care, pains and trouble and time expended in and about the estate;

And I do order that all persons who are or may be interested in the estate of the deceased, do attend at the time and place if they so desire; and that, in the event of their non-attendance, the matters may be proceeded with in their absence.

And I do order a copy hereof to be served upon (here name the persons interested), at least ..... days before the day so appointed, by prepaid ordinary mail.

Dated, etc.

.....
Judge

The amount of compensation claimed by the executor is $.....

NOTE: The accounts above mentioned may be examined by the parties interested, or their solicitors at the office of the Local Registrar, at the ..... of .....

(NOTE: This form may be varied for administrations, and guardianships).

O. Reg. 845/82, s. 12, *revised.*

Form 48

ORDER ON PASSING ACCOUNTS

In the Ontario Court (General Division).

In the estate of A.B., deceased.

Upon reading the petition of C.D., the executor of the will of the deceased, and the affidavit and accounts filed,

I, ... Judge of the said Court, having on the ..... day of ....., 19....., proceeded to take, audit and pass the accounts in the presence of .....,

(and after due notice to ....., who have failed to attend, *or as the case may be*).

I find and declare that the executor has realized on account of capital, during the period, the sum of $ .....

(in which is included the sum of $..... brought forward from the last passing of accounts, as appears by the order of this Court dated the ..... day of .....19.....) and that the executor has properly paid out and disbursed on account of capital the sum of $..... leaving a credit balance in the hands of the executor in respect of capital of $.....

I find and declare that the executor has realized on account of revenue, during the period, the sum of $ .....

(in which is included the sum of $..... brought forward from the last passing of accounts, as appears by the order of this Court dated the ..... day of .....19.....) and that the executor has properly paid out and disbursed on account of revenue the sum of $..... leaving a credit balance in the hands of the executor in respect of revenue of $.....

And I do hereby order and allow the sum of $ ..... as a fair and reasonable allowance for care, pains, trouble and time, and personal disbursements expended in and about the administering, arranging and settling the affairs of the estate to the ..... day of ....., 19....., (and the distribution of the money in the hands of the executor).

And I do order that the costs of taking, auditing and passing the accounts and fixing the said compensation amounting to $....., be allowed to the executor, and having deducted the amount so disbursed and expended and the compensation and costs from the amount in the hands of the executor, I find that there remains in the executor's hands the sum of $ .....

I find that there remains in the executor's hands the original assets as set out in the schedule attached hereto upon the value of which I do not pass.

Dated, etc.

.....
Judge

NOTE: *This form may be varied for administrations and guardianships.*

R.R.O. 1980, Reg. 925, Form 55, *revised.*

Form 49

NOMINATION BY FOREIGN ADMINISTRATOR OF ADMINISTRATOR FOR ESTATE IN ONTARIO

Whereas A.B., late of .....,

deceased, died on or about the ..... day of

....., 19....., at .....,
intestate, and letters of administration of his or her estate, real and

personal, were granted by the ..... Court

on the ..... day of ....., 19.....,

to me, C.D., of .....

And whereas the deceased died leaving at the time of his or her

death property in the County of ..... in the Province of Ontario.

Now I, C.D., the administrator of the estate of A.B., do hereby

nominate and appoint E.F., of the .....

of ..... in the Province of Ontario, in my place and stead;

1. To make application to the Ontario Court (General Division) for letters of administration of the Estate of A.B., situated within the Province of Ontario;

2. To be and act as the administrator of this estate in the Province of Ontario and to do and perform all acts and to execute all documents necessary and incidental to the due administration of the Estate and, if necessary, pass the accounts as such Administrator before the Ontario Court (General Division).

In witness whereof I have hereunto set my hand

and seal this ..... day of ....., 19.....

Signed, sealed and delivered in the presence of	)	C.D.(L.S.)
.....	)	

NOTE: *An affidavit of execution is required.*

R.R.O. 1980, Reg. 925, Form 56, *revised.*

APPENDIX B

TARIFF OF FEES TO BE ALLOWED SOLICITORS FOR SERVICES ON THE PASSING OF ACCOUNTS

For Services on the passing of accounts, including: review of the personal representative's accounts and requested compensation; preparing, taking out, and serving the appointment; attending on the audit and taking out the order, (subject to increase or decrease in the discretion of the judge)

On the first $50,000.00 or a portion thereof, of the total of both capital and income receipts, (minimum $350.00)	1 per cent
On the next $50,000.00 or a portion thereof	⅓ of 1 per cent
On the next $400,000.00 or a portion thereof	¼ of 1 per cent
On the next $500,000.00 or a portion thereof	1/10 of 1 per cent
Over $1,000,000.00 in the discretion of the judge.	

All proper disbursements including those for copying and service of material shall be in addition to such fees. O. Reg. 845/82, s. 13, *revised.*

REGULATION 198

RULES OF THE ONTARIO COURT (PROVINCIAL DIVISION) IN APPEALS UNDER SECTION 135 OF THE PROVINCIAL OFFENCES ACT

1.—(1) In these rules,

"appeal court" means the Ontario Court (Provincial Division);

"clerk" means the clerk of the Ontario Court (Provincial Division).

(2) Where an appeal is taken by a defendant or a prosecutor, the other of them is the respondent.

R.R.O. 1980, Reg. 820, r. 1, *revised.*

2. These rules apply in respect of appeals to the Ontario Court (Provincial Division) under section 135 of the *Provincial Offences Act*. R.R.O. 1980, Reg. 820, r. 2, *revised.*

3. These rules shall be construed liberally so as to obtain as expeditious a conclusion of every proceeding as is consistent with a just determination of the proceeding. R.R.O. 1980, Reg. 820, r. 3.

4. The following apply to the calculation of a period of time prescribed by the *Provincial Offences Act*, these rules or an order of a court:

1. The time shall be calculated by excluding the first day and including the last day of the period.
2. Where a period of less than six days is prescribed, a Saturday or holiday shall not be reckoned.
3. Where the last day of the period of time falls on a Saturday or a holiday, the day next following that is not a Saturday or a holiday shall be deemed to be the last day of the period.
4. Where the days are expressed to be clear days or where the term "at least" is added, the time shall be calculated by excluding both the first day and the last day of the period. R.R.O. 1980, Reg. 820, r. 4, *revised.*

5. A notice or document given or delivered by mail shall, unless the contrary is shown, be deemed to be given or delivered on the seventh day following the day on which it was mailed. R.R.O. 1980, Reg. 820, r. 5.

6. Where, on motion without notice, a judge is satisfied that reasonable efforts have been made without success to give or deliver a notice or document in the manner required by these rules or the *Provincial Offences Act*, or that reasonable efforts would not be successful, the judge by order may authorize substituted service of the notice or document in such manner as the judge directs or may dispense with the giving or delivery of the notice or document upon such terms as the judge considers proper in the circumstances. R.R.O. 1980, Reg. 820, r. 6, *revised.*

7. A notice of appeal shall be in Form 1. R.R.O. 1980, Reg. 820, r. 7.

8. A defendant who appeals from a decision imposing a fine shall

file with the notice of appeal a receipt for payment of the fine issued by the clerk of the court that imposed the fine unless the clerk is satisfied that an order has been made under subsection 111 (2) of the *Provincial Offences Act* and a recognizance has been entered into by the defendant in accordance with the order. R.R.O. 1980, Reg. 820, r. 8, *revised*.

9.—(1) Upon the filing of a notice of appeal, the clerk shall set a day and time for hearing in accordance with section 135 of the *Provincial Offences Act*. R.R.O. 1980, Reg. 820, r. 9 (1), *revised*.

(2) A notice of the time and place of the hearing of an appeal shall be in Form 2.

(3) The clerk shall give to the respondent a copy of the filed notice of appeal with the notice of the time and place of the hearing.

(4) Notice of the time and place of the hearing shall be given at least seven days before the day set for the hearing.

(5) A certificate of giving a notice under subrule (3) endorsed on the notice by the clerk shall be received in evidence and, in the absence of evidence to the contrary, is proof of the giving stated in the certificate. R.R.O. 1980, Reg. 820, r. 9 (2-5).

10. The clerk shall give to the Crown Attorney a copy of each notice or document filed with or issued by the clerk in respect of an appeal to which these rules apply. R.R.O. 1980, Reg. 820, r. 10, *revised*.

11.—(1) A recognizance under section 110 of the *Provincial Offences Act* shall be in Form 3. R.R.O. 1980, Reg. 820, r. 12 (1), *revised*.

(2) A recognizance under section 111 of the *Provincial Offences Act* shall be in Form 4. R.R.O. 1980, Reg. 820, r. 12 (2), *revised*.

12.—(1) A motion provided for by the *Provincial Offences Act* or these rules shall be commenced by notice of motion. R.R.O. 1980, Reg. 820, r. 13 (1), *revised*.

(2) There shall be at least three days between the giving of notice of motion and the day for hearing the motion. R.R.O. 1980, Reg. 820, r. 13 (2), *revised*.

(3) The moving party shall file notice of motion at least two days before the day for hearing the motion. R.R.O. 1980, Reg. 820, r. 13 (3), *revised*.

(4) Evidence on a motion may be given,

(a) by affidavit;

(b) with permission of the court, orally; or

(c) in the form of a transcript of the examination of a witness. R.R.O. 1980, Reg. 820, r. 13 (4), *revised*.

(5) Upon the hearing of a motion and whether or not other evidence is given on the motion, the judge may receive and base his or her decision upon information the judge considers credible or trustworthy in the circumstances. R.R.O. 1980, Reg. 820, r. 13 (5), *revised*.

(6) A motion may be heard without notice,

(a) on consent;

(b) where the motion is made under section 111 or 112 of the *Provincial Offences Act*; or

(c) where, having regard to the subject-matter or the circumstances of the motion, it would not be unjust to hear the motion without notice. R.R.O. 1980, Reg. 820, r. 13 (6), *revised*.

13.—(1) An appellant who wishes to abandon the appeal shall file with the clerk a notice of abandonment.

(2) The appellant or counsel for the appellant shall sign the notice of abandonment.

(3) Where the appellant signs the notice of abandonment, the notice must be signed by another person who witnessed the signing by the appellant.

(4) Where the witness is not counsel for the appellant, the appellant shall file an affidavit of execution by the witness with the notice of abandonment.

(5) A notice of abandonment shall be in Form 5.

(6) The clerk shall give a copy of the filed notice of abandonment to the respondent. R.R.O. 1980, Reg. 820, r. 14.

14.—(1) The appeal court may dismiss an appeal where,

(a) the appellant fails to appear in person or by counsel on the day set by the clerk for the hearing of the appeal;

(b) the appeal court finds that the appellant has failed to comply with an order made by the appeal court in respect of the appeal; or

(c) the appellant has filed notice of abandonment with the clerk.

(2) The appeal court shall not allow an appeal for the reason only that a respondent to the appeal,

(a) is not present in person or by counsel on the day set by the clerk for the hearing of the appeal; or

(b) is found by the appeal court to have failed to comply with an order made by the appeal court in respect of the appeal,

but may proceed to hear the appeal, even if the respondent is not present in person or by counsel. R.R.O. 1980, Reg. 820, r. 15.

15. Immediately after the disposition of an appeal, the clerk shall give notice of the decision of the appeal court, including any written reasons or endorsements made by the court to each party to the appeal who was not present when the decision was made. R.R.O. 1980, Reg. 820, r. 16, *revised*.

Form 1

Courts of Justice Act

NOTICE OF APPEAL
TO ONTARIO COURT (PROVINCIAL DIVISION)
UNDER SECTION 135 OF THE PROVINCIAL OFFENCES ACT

1. Ontario Court (Provincial Division) at .....

2. Appellant is

   ☐ Defendant

   ☐ Prosecutor

   ☐ Attorney General

3. Name of appellant: .....

   Address for service: .....

4. Counsel for appellant

   Name: .....

   Address for service: .....

5. The appellant appeals against

   ☐ Acquittal

   ☐ Conviction

   ☐ Sentence

   by the Ontario Court (Provincial Division) at .....
   (address of court)

6. Decision of Ontario Court (Provincial Division): .....

   .....

7. Date of decision: .....

8. If appellant is in custody, place where held: .....

9. Description of offence: .....

10.—(1) Statute: .....

   (2) Section: .....

11. Date of offence: .....

12. Plea at trial: .....

13. The relief sought is: .....

14. The grounds of appeal are: .....

15. Date: .....

16. Signature of appellant or counsel: .....

NOTES:

1. If appellant's address for service is that of the appellant's counsel, state counsel's full address and add appellant's own full address.

2. Please notify the clerk of the court in writing immediately any change of address. The court will communicate with you by mail at the address shown by you in this notice unless you notify the court of a change in your address.

3. This notice of appeal must be filed with the clerk of the Ontario Court (Provincial Division) at the location where the decision appealed from was made.

R.R.O. 1980, Reg. 820, Form 201, *revised*.

Form 2

Courts of Justice Act

NOTICE OF TIME AND PLACE OF HEARING OF APPEAL UNDER SECTION 135 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To ....., appellant

.....

.....
(address)

and

....., respondent

.....

.....
(address)

Take notice that the appeal in respect of the ..... in the Ontario Court (Provincial Division) on the ..... day of ....., 19....., in respect of the charge that .....
(name)

of ..... on or about the ..... day of ....., 19....., at ..... did commit the offence(s) of

(set out charges)

contrary to ..... section ..... will be heard in the Ontartio Court (Provincial Division) at ..... on the ..... day of ....., 19....., at ....M.

Given at .....

this ..... day .....
Clerk

of ....., 19....

R.R.O. 1980, Reg. 820, Form 202, *revised*.

Form 3

Courts of Justice Act

RECOGNIZANCE UNDER SECTION 110 OF THE PROVINCIAL OFFENCES ACT

Be it remembered that on the ..... day of ....., 19....., the persons named in the following schedule came before me and jointly and severally acknowledged themselves to owe Her Majesty the Queen the amounts set opposite their names, namely:

		cash deposit	description of other valuable security
Appellant:	..... (name)	$ ..... (amount)	$ .....
Address	.....		
	.....		

Surety: ..... $ ..... $.....
(name) (amount)

Address .....

.....

Surety: ..... $ ..... $.....
(name) (amount)

Address .....

.....

which may be enforced in the same manner as a judgment of the Ontario Court (General Division) if the appellant fails to comply with the condition(s) hereunder written.

Taken and acknowledged before me at ..... this ..... day of ....., 19.....

.....
Provincial Judge

Whereas ....., of ....., hereinafter called the appellant, was convicted in the Ontario Court (Provincial Division) of the offence of ..... contrary to ..... section ..... and was sentenced to .....

And whereas the appellant wishes to appeal the conviction or sentence or both and

( ) to be released from custody pending the hearing of the appeal

( ) that the application of subsection 111 (1) of the *Provincial Offences Act* be waived pending the hearing of the appeal.

Now therefore the condition of this recognizance is that if the appellant appears on the appeal

(set out any further conditions)

the said recognizance is void, otherwise it is of full force and effect.

.....
signature of surety

....
signature of defendant signature of surety

R.R.O. 1980, Reg. 820, Form 203, *revised*.

Form 4

Courts of Justice Act

RECOGNIZANCE UNDER SECTION 111 OF THE PROVINCIAL OFFENCES ACT

Be it remembered that on the ..... day of ....., 19....., at ....., the persons named in the following schedule came before me and jointly and severally acknowledged themselves to owe Her Majesty the Queen the amounts set opposite their names, namely:

Appellant: ..... $..... (no deposit
(name) (amount) required)

Address .....

.....

Surety: ..... $..... (no deposit
(name) (amount) required)

Address .....

.....

Surety: ..... $..... (no deposit required)
(name) (amount)

Address .....

.....

which may be enforced in the same manner as a judgment of the Ontario Court (General Division) if the appellant fails to comply with the conditions hereunder written.

Taken and acknowledged before me at ..... this ..... day of ....., 19.....

.....
Provincial Judge

Whereas ..... of ..... hereinafter called the applicant, was convicted in the Ontario Court (Provincial Division) of the offence(s) of .....

contrary to ..... section ..... and a fine of $..... was imposed.

And whereas the appellant wishes to appeal the conviction or sentence or both and has requested that the application of subsection 111 (1) of the *Provincial Offences Act* be waived pending the hearing of the appeal.

Now therefore the condition of this recognizance is that if the appellant appears on the appeal the said recognizance is void, otherwise it is of full force and effect.

This recognizance has been read over and explained to me and I fully understand the same.

.....
signature of surety

....
signature of appellant signature of surety

R.R.O. 1980, Reg. 820, Form 204, *revised*.

Form 5

Courts of Justice Act

NOTICE OF ABANDONMENT OF APPEAL

Between .....
(appellant)

and

.....
(respondent)

Take notice that the appellant has abandoned the appeal in respect of the following matter:

(Describe charge against defendant, state the decision or sentence appealed from and the date of the decision or sentence)

Dated at ..... this ..... day of ....., 19.....

.....
appellant or counsel for appellant

.....
witness

R.R.O. 1980, Reg. 820, Form 205, *revised*.

REGULATION 199

RULES OF THE ONTARIO COURT (PROVINCIAL DIVISION) IN FAMILY LAW PROCEEDINGS

PART I
GENERAL

1. In these rules,

"clerk" means a clerk of the court;

"county" includes a regional, district or metropolitan municipality;

"court" means the Ontario Court (Provincial Division);

"file" means file in the office of the clerk;

"party" means a party to a proceeding and includes a person who is entitled to notice of a proceeding, but does not include a foster parent;

"prescribed" means prescribed in these rules;

"proceeding" means a proceeding in the court. R.R.O. 1980, Reg. 810, r. 1; O. Reg. 808/84, s. 1, *revised.*

2. These rules apply to all proceedings respecting family matters in the court. R.R.O. 1980, Reg. 810, r. 2.

3. The forms authorized by these rules shall be used where applicable and with such variations as the circumstances require. O. Reg. 808/84, s. 2.

4. These rules shall be construed liberally so as to secure an inexpensive and expeditious conclusion of every proceeding consistent with a just determination of the proceeding. R.R.O. 1980, Reg. 810, r. 4.

5. In any matter not provided for by these rules, the practice of the court shall be regulated by analogy to these rules and to the Act governing the proceeding and the court on motion without notice may give directions. R.R.O. 1980, Reg. 810, r. 5.

6. Where a party fails to comply with these rules, the court, upon such terms as the court considers proper, may grant such relief from the non-compliance as the court considers necessary to secure the just determination of the matter in dispute. R.R.O. 1980, Reg. 810, r. 6.

7. In the computation of time under these rules or an order of the court, where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens, and where the time for doing an act under these rules expires on a day on which the court office is closed, the act may be done on the next day on which the court office is open. O. Reg. 808/84, s. 3.

8. The court, at any time, may lengthen or shorten a period of time prescribed by these rules or by an order of the court, upon such terms as the court considers proper in the circumstances. R.R.O. 1980, Reg. 810, r. 8.

9. A party may be represented in a proceeding by any of the following:

1. A barrister and solicitor.
2. A student-at-law while under articles, unless the court orders otherwise.
3. With the permission of the court, a law student who is enrolled in a university approved by The Law Society of Upper Canada and who is engaged in a legal clinic program under the supervision of a barrister and solicitor.
4. With the permission of the court, any other person. R.R.O. 1980, Reg. 810, r. 9.

10.—(1) Subject to section 38 of the *Child and Family Services Act*, where the court is satisfied that a party,

(a) is a minor or is under a mental disability; and

(b) requires representation in the proceeding by reason of that fact,

the court shall give such directions for the representation of the party as it considers appropriate.

(2) Directions for representations under subrule (1) shall be given only on motion on notice to the party and to such persons as the court requires. O. Reg. 808/84, s. 4.

11. The court may order that any person whose presence as a party is necessary to determine the matters in issue shall be added as a party. R.R.O. 1980, Reg. 810, r. 10.

12. A proceeding shall be commenced by filing an application in the prescribed form. R.R.O. 1980, Reg. 810, r. 11.

13. Upon the commencement of a proceeding, the clerk shall set a day for hearing, issue a notice of hearing in the prescribed form and seal the notice of hearing and the application with the seal of the court. R.R.O. 1980, Reg. 810, r. 12.

14.—(1) Subject to subrules (3) and (4), service of a document in a proceeding may be made in or out of Ontario,

(a) by leaving a copy of the document with the person to be served;

(b) by leaving a copy of the document with a person apparently sixteen years of age or over at the place where the person to be served is residing;

(c) by sending a copy of the document together with a prepaid return postcard in Form 1 by ordinary mail in an envelope, bearing the return address of the sender and addressed to the person to be served, but service under this clause is not valid unless the return postcard signed by the person to be served is received by the clerk;

(d) by leaving a copy of the document at the address for service shown on the latest document filed by the person to be served in the same or any other proceeding in the court;

(e) by sending a copy of the document by ordinary mail addressed to the person to be served at the person's address for service shown on the latest document filed by the person in the same or any other proceeding in the court; or

(f) by delivering or sending by ordinary mail a copy of the document to the person acting in the proceeding for the person to be served. R.R.O. 1980, Reg. 810, r. 13 (1); O. Reg. 808/84, s. 5 (1).

(2) In addition to the methods set out in subrule (1), service of a document in a proceeding under the *Child and Family Services Act* on a Director or foster parent within the meaning of that Act or a children's aid society may be made by sending a copy of the document by ordinary mail addressed to the person to be served at the person's place of business or, in the case of a foster parent, at his or her residence.

(3) In an application for an order under the *Child and Family Services Act* finding a child to be a child in need of protection, service of

the application and notice of hearing on the child, a parent as defined by that Act or a person having actual custody of the child shall be made by leaving a copy with the person to be served unless the court orders otherwise. R.R.O. 1980, Reg. 810, r. 13 (2, 3).

(4) Service of a notice of motion to find a person in contempt of court shall be made by leaving a copy of the document with the person to be served.

(5) Where a person who is to be served with a document is mentally incompetent, the document shall not be served on the person but shall be served in accordance with subrules (1) to (4) on the committee of the person's estate or, where there is none, on the Public Trustee. O. Reg. 808/84, s. 5 (2).

(6) Service of a document in a proceeding, other than a notice of motion to issue a warrant for arrest or to find a person in contempt of court, is not required where a solicitor accepts service and undertakes to act on behalf of the person to be served.

(7) Where service of a document on a corporation is to be made by leaving a copy of the document with the corporation, the copy of the document may be left with an officer, director or agent of the corporation. R.R.O. 1980, Reg. 810, r. 13 (5, 6).

(8) Where a copy of a document has been mailed, it shall be deemed to have been served on the fifth day following the day on which it was mailed, unless the contrary is shown.

(9) Although a document in a proceeding has been served under subrule (1) or (2), the court at any time may order that the document be served by leaving a copy of the document with the person to be served. O. Reg. 808/84, s. 5 (3).

(10) Proof of service or of efforts to make service may be given by affidavit, in the absence of an admission of service. R.R.O. 1980, Reg. 810, r. 13 (9).

15.—(1) Where on motion without notice the court is satisfied that reasonable efforts have been made, without success, to serve a document or that such reasonable efforts would not be successful, the court may order substituted service of the document in such manner as the court directs or may dispense with service upon such terms as the court considers proper in the circumstances. R.R.O. 1980, Reg. 810, r. 14 (1).

(2) Where the court orders service by advertisement, the advertisement shall be in Form 2. R.R.O. 1980, Reg. 810, r. 14 (3).

16. Where an application has not been served before the day set for hearing, upon the request of the applicant the clerk shall set a new day for hearing and issue a new notice of hearing under the seal of the court. R.R.O. 1980, Reg. 810, r. 15.

17.—(1) A motion within a proceeding shall be commenced by serving and filing a notice of motion and an affidavit in the prescribed form, together with any other evidence on the motion, where practicable, but where all parties are present or represented or have been served with notice of the hearing at which a motion is to be made or in any other circumstances where the court considers it appropriate, the court may permit a party to make a motion orally.

(2) A notice of motion shall be served at least three days before the date on which the motion is to be heard.

(3) In an urgent case, a motion may be made before the commencement of a proceeding on the moving party's undertaking to commence the proceeding forthwith. O. Reg. 808/84, s. 7.

18. Where the court is satisfied that the circumstances of the case are urgent and that the delay necessary to serve notice of a motion or the serving of notice of a motion might have serious consequences, the court may make without notice any one or more of the following orders:

1. An order on motion.

2. An order that the hearing be expedited.

3. An order fixing the day for hearing. R.R.O. 1980, Reg. 810, r. 17.

19. A motion on notice shall be heard in the county where the proceeding is to be heard unless the court orders or the parties agree otherwise. O. Reg. 808/84, s. 8, *part.*

20. Where the parties and the judge hearing a motion consent, a motion may be heard by means of a conference telephone call. O. Reg. 808/84, s. 8, *part.*

21. Evidence on a motion may be given,

(a) by affidavit;

(b) in the form of a transcript of the examination of a witness summoned under rule 28; and

(c) with the permission of the court, orally. R.R.O. 1980, Reg. 810, r. 18.

22.—(1) Where two or more issues are joined in one proceeding and the court is of the opinion that the issues cannot conveniently be disposed of in one proceeding, the court may order that one or more of the issues be disposed of in a separate proceeding.

(2) Where the court is of the opinion that two or more proceedings could be more conveniently disposed of in one proceeding the court may order that the proceedings be consolidated. R.R.O. 1980, Reg. 810, r. 19.

23.—(1) On motion, the court may order a party or any other person to disclose facts relating to any matter in issue in the proceeding by one or more of the following means:

1. An affidavit providing the facts.

2. An affidavit answering specific questions stated in the order.

3. An affidavit answering questions submitted in writing by a party.

4. Submission to oral examination under oath.

5. An affidavit specifying relevant documents.

6. The production of relevant documents.

7. Any other means specified in the order. R.R.O. 1980, Reg. 810, r. 20 (1); O. Reg. 808/84, s. 9.

(2) In an order under subrule (1), the court may impose such terms and give such directions as the court considers proper in the circumstances.

(3) A party may use in evidence at a hearing any part of the affidavit or examination under oath of an opposite party and where the court is of the opinion that the part ought not to be used except with another part of the affidavit or examination the court may direct that the other part be put in evidence. R.R.O. 1980, Reg. 810, r. 20 (2, 3).

24. The parties shall hold such informal discussions as are reasonably possible for the purpose of resolving or narrowing the issues in dispute as soon as reasonably possible after the commencement of the proceeding. R.R.O. 1980, Reg. 810, r. 21.

25. As soon as reasonably possible after the commencement of a proceeding, the judge presiding on a motion or at the hearing shall inquire whether or not attempts have been made to resolve or nar-

row the issues in dispute, which issues have been resolved or narrowed and whether settlement by the parties of the issues remaining in dispute is likely. R.R.O. 1980, Reg. 810, r. 22.

26.—(1) For the purpose of resolving or narrowing the issues or of settling the procedures at a hearing, the court, at any stage in the proceeding, may convene one or more meetings of the parties before a judge of the court or a person designated by the court.

(2) The person before whom a meeting under subrule (1) is convened shall present to the parties, for their approval in writing, a memorandum of the matters agreed upon by the parties at the meeting and the person shall file the memorandum unless the parties file a consent to an order. O. Reg. 808/84, s. 10.

(3) A judge before whom a meeting under subrule (1) is convened shall not preside at the hearing without the consent of the parties. R.R.O. 1980, Reg. 810, r. 23 (3).

27. Subject to rule 72, the court may make any order authorized by these rules or the Act governing the proceeding on consent of the parties without a hearing. R.R.O. 1980, Reg. 810, r. 24.

28.—(1) On request of a party, the clerk shall issue a summons to a witness in the prescribed form.

(2) Subrule (1) applies in addition to the provisions of section 49 of the *Child and Family Services Act* governing the issue of a summons to a witness.

(3) A summons to a witness shall be served on the witness together with the witness fee prescribed in the Tariff. R.R.O. 1980, Reg. 810, r. 25.

29.—(1) Where the court is satisfied that a summons to a witness and the prescribed witness fee were served on a witness who failed to attend or to remain as required by the summons and that the presence of the witness is necessary for the determination of an issue in a proceeding, the court may issue a warrant in Form 3 for the arrest of the witness and may cause him or her to be brought before the court, be held in custody until the hearing in the proceeding or be released on such terms as are contained in the warrant or as the court considers proper. R.R.O. 1980, Reg. 810, r. 26.

(2) Where the warrant contains a provision for release on completion of a promise to appear, the promise to appear shall be in Form 4. O. Reg. 808/84, s. 11.

30. The court may order that a witness who is incapable of attending or is otherwise not available to attend a hearing be examined under oath before a person named in the order at a place named in the order and may receive the transcript of the examination in evidence. R.R.O. 1980, Reg. 810, r. 27.

31.—(1) On request of a party or by direction of the court, an order of the court shall be issued in the prescribed form by the clerk under the seal of the court.

(2) An order may be signed by the judge who made it or by the clerk. R.R.O. 1980, Reg. 810, r. 28.

32. The solicitors' fees and other fees and disbursements set out or provided for in the Tariff may be allowed as costs in a proceeding. R.R.O. 1980, Reg. 810, r. 29.

33. The court may order payment of a fixed amount for costs in place of costs determined in accordance with the Tariff. R.R.O. 1980, Reg. 810, r. 30.

34. Where costs are ordered to be paid and are not fixed by the court, the amount of the costs shall be determined in accordance with the Tariff by a judge or a person designated by a judge, and the person determining the costs shall issue his or her certificate setting out the amount of the costs. R.R.O. 1980, Reg. 810, r. 31.

35.—(1) A party dissatisfied with the determination of costs by a person designated by a judge may file written objections within ten days after the date of the determination and the objections shall be served on all other parties to the determination. R.R.O. 1980, Reg. 810, r. 32 (1).

(2) Where a party has filed and served written objections under subrule (1), the person who determined the costs shall consider the objections and the submissions of the parties and the person shall reconsider the determination as to the items in respect of which objections have been filed and, if requested, shall give written reasons for the decision.

(3) Where written objections have been filed and served under subrule (1), a party may appeal the determination of costs by motion and the court shall determine the costs by order. O. Reg. 808/84, s. 12.

36.—(1) A party acting by a solicitor or agent may change the party's solicitor or agent or may act in person by filing a notice of change of solicitor or agent containing the consent of the new solicitor or agent to act.

(2) A party acting in person may appoint a solicitor or agent by filing a notice of appointment containing the consent of the solicitor or agent to act.

(3) A notice filed under subrule (1) or (2) shall be served on every other party. R.R.O. 1980, Reg. 810, r. 33.

PART II
SUPPORT AND CUSTODY PROCEEDINGS

37. This Part applies to proceedings under the *Children's Law Reform Act*, the *Family Law Act* and the *Reciprocal Enforcement of Support Orders Act*. O. Reg. 652/82, s. 1; O. Reg. 94/86, s. 1.

38. The parties, at any time by consent in writing without an order, may lengthen or shorten a period of time prescribed by these rules or by an order of the court for the taking of a step in a proceeding. R.R.O. 1980, Reg. 810, r. 35.

39. Where custody of or access to a child is in issue in a proceeding, each parent, guardian and person having care and control of the child shall be made a party in relation to the issue unless the court orders otherwise. R.R.O. 1980, Reg. 810, r. 37.

40.—(1) A proceeding in which custody of or access to a child is not in issue may be commenced and heard,

(a) in the county where the applicant or the respondent resides, unless the court orders otherwise; or

(b) with the permission of the court, in the county agreed upon by all parties to the proceeding.

(2) A proceeding in which custody of or access to a child is in issue shall be commenced and heard in the county where the child ordinarily resides, unless the court orders otherwise.

(3) Where the court is satisfied that there is a preponderance of convenience for the proceeding to be dealt with in another county, the court may order the transfer of the proceeding to the other county and may make such order as to directions and for costs as the court considers proper in the circumstances. O. Reg. 808/84, s. 14.

41.—(1) Where a party dies after the commencement of a proceeding, the court on motion without notice by order may substitute the legal representative of the deceased party as a party in place of the deceased party.

(2) Where it appears to the court that there is no legal representative of the deceased party, the court by order on motion without notice to any person other than the person to be appointed may

appoint a person to act as the representative of the deceased party in the proceeding. R.R.O. 1980, Reg. 810, r. 39.

42.—(1) An application shall be in Form 5.

(2) An application may contain a claim against more than one respondent and may contain more than one claim against a respondent.

(3) Where the applicant claims financial support or claims custody of a child, the applicant shall file a financial statement in Form 6 with the application. R.R.O. 1980, Reg. 810, r. 40.

43.—(1) A notice of hearing shall be in Form 7. R.R.O. 1980, Reg. 810, r. 41 (1).

(2) The application, the notice of hearing and the financial statement shall be served together,

(a) on every party other than the applicant; and

(b) where the applicant is an assignee under subsection 34 (4) of the *Family Law Act*, on the assignor. R.R.O. 1980, Reg. 810, r. 41 (2); O. Reg. 94/86, s. 2.

(3) An affidavit of service shall be in Form 8. R.R.O. 1980, Reg. 810, r. 41 (3).

44.—(1) A respondent shall file an answer in Form 9 promptly after service of the application and the answer shall be served on every other party. O. Reg. 808/84, s. 15.

(2) An answer may contain a claim against any other party and against any other person.

(3) Where the applicant or the respondent claims financial support or claims custody of a child, the respondent shall file a financial statement in Form 6 with the answer, and the financial statement shall be served with the answer.

(4) Where the respondent files a financial statement under subrule (3) and the applicant has not already done so, the applicant shall file a financial statement in Form 6 and the financial statement shall be served on every other party.

(5) Where a respondent does not file an answer within the time prescribed by subrule (1), the clerk may set a new day for hearing without notice to the respondent. R.R.O. 1980, Reg. 810, r. 42 (2-5).

45. Where an answer is filed that contains a claim against a person not a party, the clerk shall issue under the seal of the court a notice to added party in Form 9. O. Reg. 808/84, s. 16, *part.*

46. The notice to added party, the answer and the application shall be served together on the party added under rule 45. O. Reg. 808/84, s. 16, *part.*

47.—(1) A party added under rule 45 shall file a reply in Form 11 within ten days after service on the party of the notice of claim, the application and the answer, and the reply shall be served on every other party.

(2) Where the respondent claims financial support or custody of a child against a party added under rule 45, the added party shall file a financial statement in Form 6 with the party's reply, and the financial statement shall be served with the reply. R.R.O. 1980, Reg. 810, r. 45.

48.—(1) A party may file in a sealed envelope an offer to settle a proceeding on the terms set out in the offer, and the offer shall be served on the party to whom the offer is made.

(2) The offer may be accepted, at any time before the court makes an order disposing of an issue in respect of which the offer is made, by filing an acceptance and serving the acceptance on the party who made the offer.

(3) The offer may be withdrawn at any time before the offer is accepted by filing a notice of withdrawal and serving the notice of withdrawal on the party to whom the offer was made.

(4) Where an offer is accepted, the court may incorporate the offer into an order.

(5) Where an offer is made and not accepted, the court shall examine and take into account the terms of the offer for the purpose of determining costs. R.R.O. 1980, Reg. 810, r. 46.

49.—(1) An affidavit filed in support of a motion shall be in Form 12. O. Reg. 808/84, s. 17.

(2) A notice of motion shall be in Form 13.

(3) A summons to a witness shall be in Form 14.

(4) An order, other than an order on motion without notice, shall be in Form 15. R.R.O. 1980, Reg. 810, r. 47 (2-4).

50.—(1) Where the court makes an order on motion without notice, the clerk shall issue the order under the seal of the court in Form 16.

(2) An order referred to in subrule (1) and any material filed on the motion for the order shall be served together within such period of time as the court directs on every party other than the party who made the motion.

(3) The court may make an order dispensing with any provision of subrules (1) and (2).

(4) On motion made by a person named in an order referred to in subrule (1) within seven days after the order came to the attention of the person, the court may vary or discharge the order. R.R.O. 1980, Reg. 810, r. 48.

51. The court may order a person or agency, with the consent of the person or agency, to make an investigation related to a proceeding in which support or custody of or access to a child is in issue, may order a party or parties to pay the costs of the investigation and may receive evidence resulting from the investigation. R.R.O. 1980, Reg. 810, r. 49.

52. The person or agency making an investigation under rule 51 shall file a report of the investigation and the report shall be served on all parties before the hearing. R.R.O. 1980, Reg. 810, r. 50.

53. A party may summon as a witness and cross-examine a person who made an investigation under rule 51 and may give evidence in reply. R.R.O. 1980, Reg. 810, r. 51.

54. Evidence at the hearing in a proceeding may be given by affidavit with the permission of the court, but the affidavit shall be confined to facts within the personal knowledge of the person making the affidavit. R.R.O. 1980, Reg. 810, r. 52.

55.—(1) In this rule, where the applicant and respondent in a proceeding reside in different counties in Ontario,

"confirming court" means the court or the Unified Family Court in the county in which the respondent resides; and

"originating court" means the court or the Unified Family Court in the county in which the proceeding was commenced.

(2) Where the originating court makes a provisional order, the clerk shall send to the confirming court or, where the confirming court is outside Ontario, to the Attorney General for transmission to the confirming court, under the certificate of the clerk in Form 17, three copies of each of the following:

1. The application.

2. The applicant's financial statement.

3. The transcript of the applicant's evidence and, where reasonably possible, the exhibits.

4. The provisional order.

5. A statement of information to identify the respondent.

6. A copy of the relevant provisions of the *Family Law Act* and the *Reciprocal Enforcement of Support Orders Act*, where the confirming court is outside Ontario.

7. Where the respondent is served with a notice of hearing and the court makes a provisional order for confirmation in Ontario, the notice of hearing and proof of service of the notice of hearing. O. Reg. 808/84, s. 18 (1); O. Reg. 94/86, s. 3.

(3) Where the court receives for confirmation a provisional order made by an originating court in a reciprocating state within the meaning of the *Reciprocal Enforcement of Support Orders Act*, the applicant is not required to file a financial statement.

(4) Where the court receives a provisional order for confirmation, the respondent shall be served with,

(a) a notice of confirmation hearing in Form 18; and

(b) the material in the proceeding sent by the originating court.

(5) Where the court receives from a confirming court a request for further evidence, every party other than the respondent shall be served with,

(a) a notice of hearing for further evidence in Form 19, and

(b) the material in the proceeding sent by the confirming court.

(6) Where, before confirming a provisional order, the court has requested and received further evidence from the originating court, the respondent shall be served with,

(a) a notice of resumption of hearing in Form 20; and

(b) the further evidence in the proceeding sent by the originating court. R.R.O. 1980, Reg. 810, r. 53 (2-5).

(7) Where the court has remitted the case to the originating court for the taking of further evidence, the clerk shall send to the originating court two copies of the transcript of evidence taken before the court on the confirmation hearing and, where reasonably possible, the exhibits. O. Reg. 808/84, s. 18 (2).

56.—(1) Where the Attorney General refers a request of an extra-provincial tribunal to the court under section 33 of the *Children's Law Reform Act*, the clerk shall issue a summons in Form 21 requiring the person named in the request to attend before the court and to produce or give evidence in accordance with the request.

(2) The summons and a copy of the request of the extra-provincial tribunal and any supporting material that accompanied the request shall be served on the person named in the request at least five days before the person is required to attend before the court.

(3) Where the person named in the request is not a party to the proceeding before the extra-provincial tribunal and the summons requires him or her to give oral evidence, the witness fee prescribed in the Tariff shall be served on him or her with the summons.

(4) A copy of the summons shall be served on the Attorney General within the time prescribed by subrule (2).

(5) Where the summons does not require the person to give oral evidence, the person may file with the clerk the evidence required, verified by the affidavit of the person.

(6) Where the summons requires the person to give oral evidence, the person shall attend before the court to be examined in accordance with the summons.

(7) The clerk shall send to the extra-provincial tribunal a certified copy of evidence produced or given under this rule.

(8) Rule 29 applies with necessary modifications in respect of a person who, after having been served in accordance with subrules (2) and (3), fails to comply with the summons. O. Reg. 652/82, s. 4.

57. Where a request is made to the court to discharge, vary or suspend an order for financial support or for custody of a child, the applicant and the respondent shall each file a financial statement in Form 6 and the financial statement of each of them shall be served on every other party. R.R.O. 1980, Reg. 810, r. 54.

58. A notice of registration of order under the *Reciprocal Enforcement of Support Orders Act* shall be in Form 22. O. Reg. 808/84, s. 19.

PART III
CHANGE OF NAME

59. An application under subsection 7 (3) of the *Change of Name Act* to review the Registrar General's refusal of a change of name shall be made within thirty days after the applicant is notified of the refusal. O. Reg. 387/87, s. 1.

PART IV
PROTECTION, ADOPTION AND SECURE TREATMENT PROCEEDINGS

60. In this Part,

"Act" means the *Child and Family Services Act*;

"Director" means an employee of the Ministry of Community and Social Services appointed as a Director under the Act. R.R.O. 1980, Reg. 810, r. 55; O. Reg. 570/85, s. 2.

61. This Part applies to proceedings under the Act. R.R.O. 1980, Reg. 810, r. 56.

62.—(1) An application filed to commence a proceeding shall be in Form 23 (general application), Form 24 (protection application), Form 25 (status review application), Form 26 (application for adoption) or Form 27 (secure treatment application; extension application). O. Reg. 570/85, s. 3 (1).

(2) A notice of hearing shall be in Form 30.

(3) An affidavit filed to commence a motion shall be in Form 31.

(4) A notice of motion shall be in Form 32. R.R.O. 1980, Reg. 810, r. 58 (2-4).

(5) A consent to secure treatment shall be in Form 28 (general) or Form 29 (child). O. Reg. 570/85, s. 3 (2).

63.—(1) An affidavit of service shall be in Form 33.

(2) A summons to a witness shall be in Form 34. R.R.O. 1980, Reg. 810, r. 59.

64. Where a party makes a request for an order that is ancillary to the determination of the main issue in the proceeding, the request shall be by motion. O. Reg. 570/85, s. 4.

65. In an adoption proceeding,

(a) the child to be adopted may be identified in any document in the proceeding by his or her given names in full followed by the first letter of his or her surname and his or her birth registration number; and

(b) the applicant may be identified in any document in the proceeding, other than the adoption order, by the first letter of his or her surname. R.R.O. 1980, Reg. 810, r. 61.

66. An application for an adoption shall be filed with the court together with,

(a) a certified copy of the statement of live birth of the child to be adopted or where unobtainable, other proof of the date of birth satisfactory to the court;

(b) where the child is a Crown ward,

(i) the consent of a Director in Form 35,

(ii) a certified copy of any order under Part III of the Act terminating access to the child, and

(iii) a certified copy of the order of Crown wardship;

(c) where the child is not a Crown ward and is placed for adoption by a licensee under Part VII of the Act,

(i) evidence that the licensee is a licensee entitled to place the child for adoption under the Act,

(ii) a certified copy of any outstanding order made under any Act respecting custody of or access to the child of which the person placing the child for adoption has knowledge,

(iii) the consent in Form 36 of every person other than an applicant or a person who has filed a consent in Form 37 under clause (h) who is a parent of the child within the meaning of the Act or who has lawful custody or control of the child and of whom the person placing the child for adoption has knowledge, and

(iv) an affidavit of a licensee under Part VII of the Act stating,

(A) that he or she has made reasonable inquiries as to the matters deposed to,

(B) that he or she has no knowledge of any outstanding order, or stating the particulars of any outstanding order of which he or she has knowledge, respecting custody of or access to the child,

(C) that he or she has no knowledge of any other person who is a parent of the child within the meaning of the Act or stating the particulars of any such other person of whom he or she has knowledge,

(D) that he or she has no knowledge of any other person who has lawful custody or control of the child or stating the particulars of any such other person of whom he or she has knowledge,

(E) that he or she has no knowledge of any other adoption application in respect of the child or stating the particulars of any such other adoption application of which he or she has knowledge,

(F) that he or she has no knowledge of any recission or withdrawal of a consent to adoption,

(G) that he or she has given any person being adopted who is seven years of age or more and any parent an opportunity to seek counselling and independent legal advice with respect to the consent;

(d) where the child is not a Crown ward and is not placed for adoption by a licensee,

(i) a certified copy of any outstanding order made under any Act respecting custody of or access to the child of which any applicant has knowledge,

(ii) the consent in Form 36 of every person other than an applicant or a person who has filed a consent in Form 37 under clause (h) who is a parent within the meaning of the Act or who has lawful custody or control of the child and of whom any applicant has knowledge, and

(iii) an affidavit of each applicant in a relative or stepparent adoption within the meaning of Part VII of the Act or, if the child is not a Crown ward and is placed for adoption by a children's aid society, an affidavit of an employee of the society authorized for that purpose, stating,

(A) that the applicant has made reasonable inquiries as to the matters deposed to,

(B) that the applicant has no knowledge of any outstanding order, or stating the particulars of any outstanding order of which the applicant has knowledge, respecting custody of or access to the child,

(C) that the applicant has no knowledge of any other person who is a parent of the child within the meaning of the Act or stating the particulars of any such other person of whom the applicant has knowledge,

(D) that the applicant has no knowledge of any other person who has lawful custody or control of the child or stating the particulars of any such other person of whom the applicant has knowledge,

(E) that the applicant has not made any other adoption application in respect of the child or stating the particulars of any such other adoption application;

(e) where the child is seven years of age or over, the consent of the child in Form 39;

(f) where the child is under sixteen years of age or sixteen years of age or more but has not withdrawn from parental control and has not been married and a report on the adjustment of the child in the home of the applicant is required, the report;

(g) where the child is married, the consent of the child's spouse;

(h) where the applicant has a spouse within the meaning of the *Human Rights Code*, who has not joined in the application, the consent of that spouse in Form 37;

(i) where applicable, the recommendation in Form 40 by a Director or in Form 41 by the local director of the children's aid society, as the case may be; and

(j) an affidavit of adopting parent in Form 38. R.R.O. 1980,

Reg. 810, r. 62; O. Reg. 808/84, s. 23; O. Reg. 570/85, s. 5; O. Reg. 94/86, s. 4.

67.—(1) The consent of a child, parent or person with lawful custody or control of a child shall be witnessed by an employee of a children's aid society authorized by the society for the purpose or by an employee of a child protection agency recognized by the jurisdiction in which the consent is executed. O. Reg. 808/84, s. 24.

(2) Where a parent or person with lawful custody or control of the child is under eighteen years of age, the consent shall be accompanied by the report of the Official Guardian in Form 42 stating that the Official Guardian is satisfied that the consent reflects the true informed wishes of the person giving the consent. R.R.O. 1980, Reg. 810, r. 63 (2).

68.—(1) In a proceeding under Part III of the Act the application and the notice of hearing shall be served on every party other than the applicant and on a foster parent who is entitled under the Act to notice of the hearing. R.R.O. 1980, Reg. 810, r. 64; O. Reg. 570/85, s. 6 (1).

(2) In a proceeding under Part VI of the Act, the application and the notice of hearing shall be served on,

(a) the child;

(b) any parent referred to in subsection 3 (2) of the Act; and

(c) any other person having actual care and control of the child who is neither a foster parent nor a service provider as defined in subsection 3 (1) of the Act. O. Reg. 570/85, s. 6 (2).

69. A warrant to search for and detain a child shall be in Form 43, and an information to obtain such a warrant shall be in Form 44. O. Reg. 808/84, s. 25.

70. Despite rules 12 and 13, in an application for an order finding a child to be a child in need of protection or committing a child to secure treatment, the application and notice of hearing may be served without being issued by the clerk under the seal of the court if they are filed at or before the hearing required by subsection 47 (1) of the Act. R.R.O. 1980, Reg. 810, r. 66; O. Reg. 570/85, s. 7; O. Reg. 94/86, s. 5.

71. Notice of a motion to transfer a proceeding under Part III of the Act to another county shall be served on the children's aid society in the other county. O. Reg. 570/85, s. 8.

72. The court shall not make an order on consent of the parties under subsection 57 (1) (supervision or wardship), section 114 or 120 (secure treatment) or section 151 (adoption) of the Act unless the parties agree on the facts on which the order is based and a hearing is held. O. Reg. 570/85 s. 10.

73. Where the report of an assessment ordered under section 54 or 116 of the Act is filed, a party may summon as a witness and cross-examine the person who made the assessment and may give evidence in reply. R.R.O. 1980, Reg. 810, r. 71; O. Reg. 570/85, s. 11.

74.—(1) Where the court makes an order on motion without notice, the clerk shall issue the order under the seal of the court in Form 45 (general form of order). O. Reg. 808/84, s. 28.

(2) An order referred to in subrule (1) and any material filed on the motion for the order shall be served together within such period of time as the court directs on every party other than the party who made the motion.

(3) The court may make an order dispensing with any provision of subrules (1) and (2).

(4) On motion made by a person named in an order referred to in subrule (1) within seven days after the order came to the attention of the person, the court may vary or discharge the order. R.R.O. 1980, Reg. 810, r. 72 (2-4).

75.—(1) An order other than an order on motion without notice shall be in Form 46 (general form of order), Form 47 (order on protection, access or status review application) or Form 48 (adoption order).

(2) An order for Crown wardship shall be served on the parties and a Director. O. Reg. 808/84, s. 29, *part.*

(3) In addition to the persons mentioned in subsection 162 (3) of the Act, an order for adoption shall be served on,

(a) the applicant's solicitor or, where the applicant does not have a solicitor, the applicant;

(b) a Director;

(c) where the child is entitled to be heard in the proceeding, the child's solicitor or, where the child does not have a solicitor, the child; and

(d) such other person as the court directs. O. Reg. 808/84, s. 29, *part*; O. Reg. 570/85, s. 12 (1).

(4) An order for secure treatment shall be served on the persons who were served with the application or as directed by the court. O. Reg. 570/85, s. 12 (2).

76. Within seven days after service on the clerk of a notice of appeal of an order or decision under the Act, the clerk shall send to the local registrar of the Ontario Court (General Division),

(a) a record of the proceeding consisting of,

(i) a table of contents,

(ii) a copy of the notice of appeal,

(iii) a copy of the decision appealed from and any reasons given by the court, and

(iv) such other material that was before the court as is necessary for the hearing of the appeal; and

(b) a certificate of the court reporter stating that the appellant has ordered the transcript of the oral evidence taken in the proceeding. O. Reg. 808/84, s. 29, *part, revised.*

PART V
ENFORCEMENT

77. The provisions of this Part that apply to orders apply with necessary modifications to domestic contracts and paternity agreements. O. Reg. 94/86, s. 7.

78. An affidavit filed with a domestic contract or paternity agreement under subsection 35 (1) of the *Family Law Act* shall be in Form 49. O. Reg. 94/86, s. 8, *part.*

79.—(1) A request for the enforcement of an order for the payment of money shall be in Form 50.

(2) A statement of arrears under section 11 of the *Support and Custody Orders Enforcement Act* shall be in Form 51. O. Reg. 94/86, s. 8, *part.*

80. Upon the filing of a request for a writ of seizure and sale verified by affidavit in Form 52 and a copy of the order to be enforced, the clerk shall issue a writ of seizure and sale in Form 53 directed to a sheriff. O. Reg. 808/84, s. 29, *part.*

81. A writ of seizure and sale remains in force for six years, but may be renewed by the clerk or, where the writ has been filed with a

sheriff, by the sheriff for successive periods of six years on the filing of a request for renewal of the writ. O. Reg. 808/84, s. 29, *part.*

82. The court that issued a writ of seizure and sale that has expired may renew the writ on motion without notice heard in the county where the writ was issued. O. Reg. 808/84, s. 29, *part.*

83. Where a sheriff makes a seizure under a writ of seizure and sale, the sheriff shall publish a notice of sale at least ten days before the sale, specifying the date, time and place of the sale and giving a description of the property. O. Reg. 808/84, s. 29, *part.*

84. The sheriff shall make a report on the execution of a writ of seizure and sale and pay to the clerk of the court on behalf of the creditor any money available for distribution to the creditor. O. Reg. 808/84, s. 29, *part.*

85. Where there are arrears under an order for support or maintenance, a creditor under the order may enforce payment of the arrears and future payments by obtaining a notice of garnishment from the clerk. O. Reg. 103/85, s. 1.

86. Upon the filing of a request for garnishment verified by affidavit in Form 54 and a copy of the order to be enforced, the clerk shall issue a notice of garnishment in Form 55. O. Reg. 808/84, s. 29, *part.*

87. A notice of garnishment issued by the clerk under section 9 of the *Support and Custody Orders Enforcement Act* shall be in Form 56. O. Reg. 94/86, s. 9.

88.—(1) The notice of garnishment shall be served on the garnishee and the debtor in accordance with rule 14 or by sending a copy by ordinary mail addressed to the person to be served. O. Reg. 37/89, s. 1.

(2) The request for garnishment filed by the creditor shall be served on the debtor with the notice of garnishment.

(3) Where the garnishee is a bank, trust corporation, loan corporation, credit union, caisse populaire or the Province of Ontario savings office, the notice of garnishment shall be served at the branch where the debt is payable unless the notice sets out the number and location of the debtor's account, in which case, it may be served at any branch. O. Reg. 808/84, s. 29, *part.*

89. A notice of garnishment attaches, from the time of service on the garnishee, every debt payable by the garnishee to the debtor,

(a) at the time of service of the notice;

(b) within six years after service of the notice; or

(c) on the fulfilment of a term or condition within six years after service of the notice. O. Reg. 808/84, s. 29, *part.*

90.—(1) A debtor or a garnishee may file a dispute in Form 57 or 58 within ten days after service on him or her of the notice of garnishment.

(2) Where a debtor or a garnishee files a dispute, the clerk shall forthwith serve it on the other parties by ordinary mail.

(3) If, after being served with a notice of garnishment, the garnishee fails to make any payment or sufficient payment, the clerk shall forthwith serve the creditor with a confirmation of the failure or insufficiency by ordinary mail. O. Reg. 387/87, s. 3.

91.—(1) Where a dispute is filed or a garnishee fails to make any payment or sufficient payment, the clerk shall issue under the seal of the court a notice of garnishment hearing in Form 59 unless the creditor withdraws the notice of garnishment within ten days after being served with the dispute or with a confirmation that no money or insufficient money has been paid in by the garnishee.

(2) The clerk shall forthwith serve notice of the garnishment hearing on each of the parties by ordinary mail. O. Reg. 387/87, s. 4.

92. Where a notice of garnishment hearing is served in accordance with rule 91, the court shall hear and determine the matter in a summary manner. O. Reg. 808/84, s. 29, *part.*

93. Where money is received by the clerk under a notice of garnishment, whether or not a dispute has been filed in respect of it, the clerk shall forthwith pay the money,

(a) to the creditor, except any amount that exceeds the priority conferred by subsection 4 (1) of the *Creditors' Relief Act*; and

(b) to the sheriff, in the amount that exceeds the priority conferred by subsection 4 (1) of the *Creditors' Relief Act*,

unless the court orders that the money be held in court. O. Reg. 387/87, s. 5.

94. On a garnishment hearing, the court shall proceed in a summary manner to determine the rights of the parties and may by order do one or more of the following:

1. Dismiss the dispute.

2. Vary the amount in the notice of garnishment to be deducted for arrears.

3. Where the garnishment was issued to enforce an order of the Ontario Court (Provincial Division), vary the amount in the notice of garnishment for current payments under the order if,

   i. the parties consent,

   ii. an application has been made to vary the order, or

   iii. a domestic contract has been filed with the court under section 35 of the *Family Law Act*, in which case the amount should be varied to correspond with the amount provided for in the domestic contract.

4. Suspend the operation of the notice of garnishment during an adjournment of the garnishment hearing or for such other period as appears just.

5. Direct that money paid into court under the notice of garnishment be held in court, returned to the debtor or garnishee or remitted to the creditor.

6. Determine the maximum amount of arrears that the court will permit to be enforced by the notice of garnishment.

7. Discharge the notice of garnishment.

8. Award costs of the garnishment hearing. O. Reg. 387/87, s. 6, *revised.*

95. Where there has been a material change in the circumstances of the debtor or the creditor, the court, on motion heard in the county where a notice of garnishment was issued or where the creditor resides, may vary or suspend any term of a notice of garnishment. O. Reg. 808/84, s. 29, *part.*

96. Where a garnishee does not file a dispute and does not pay to the clerk the full amount unpaid under the order referred to in the notice of garnishment, the court may order payment by the garnishee of the amount unpaid. O. Reg. 808/84, s. 29, *part.*

97. An order under rule 96 may be enforced against the garnishee by a notice of garnishment or writ of seizure and sale. O. Reg. 808/84, s. 29, *part.*

98. Payment of a debt by a garnishee in accordance with a notice of garnishment is, to the extent of the payment, a valid discharge of the debt. O. Reg. 808/84, s. 29, *part.*

99. A warrant of committal shall be in Form 60. R.R.O. 1980, Reg. 810, r. 89.

100. A warrant under subsection 43 (1) or 59 (2) (absconding respondent) of the *Family Law Act* or subsection 11 (3) or 13 (1) (absconding debtor) of the *Support and Custody Orders Enforcement Act* shall be in Form 3 and, where the warrant contains a provision for release on completion of a promise to appear, the promise to appear shall be in Form 4. O. Reg. 94/86, s. 13.

101. A notice of default issued by a clerk to a debtor under subsection 11 (2) of the *Support and Custody Orders Enforcement Act* shall be in Form 61. O. Reg. 94/86, s. 14.

102. Where a debtor has been required to appear before the court to explain default in payment under an order for support or maintenance, the court shall consider making an order of attachment, an order requiring the giving of security or a charging order. R.R.O. 1980, Reg. 810, r. 91.

103.—(1) A recognizance entered into under an order made under subsection 46 (1) of the *Family Law Act* shall be in Form 62 and shall be entered into before the clerk or such other person as the court directs. R.R.O. 1980, Reg. 810, r. 92 (1); O. Reg. 94/86, s. 15.

(2) Where a party is in breach of a condition of the recognizance, the court, on motion by an opposite party or the Attorney General, may order that a writ of execution be issued to enforce the recognizance. R.R.O. 1980, Reg. 810, r. 92 (2).

104. A bond under section 35 (order restraining harassment) or 37 (prevention of unlawful removal of child) of the *Children's Law Reform Act* shall be in Form 63. O. Reg. 808/84, s. 30, *part.*

105. This part, as it read on the 31st day of December, 1984, continues to apply to attachment orders made and writs of execution issued before the 1st day of January, 1985. O. Reg. 808/84, s. 30, *part*; O. Reg. 94/86, s. 16.

106. Subject to subsection 69 (3) of the *Child and Family Services Act* where an appeal is taken against an order of the court, the order may be enforced pending the hearing of the appeal, except where otherwise ordered by the court or by the appellate court. R.R.O. 1980, Reg. 810, r. 93; O. Reg. 570/85, s. 13.

TARIFF

PART I—SOLICITORS' FEES

Item		Amount
1.	Application, answer and reply, up to	$100
	This item includes all services, except motions, up to and including service and filing of a reply.	
	An increased fee may be allowed in the discretion of the person determining costs, up to	350
2.	Financial statements, up to	100
	An increased fee may be allowed in the discretion of the person determining costs.	
3.	Disclosure of documents, up to	100
	This item includes affidavits of documents, requests to inspect, production for inspection and inspection.	
	An increased fee may be allowed in the discretion of the person determining costs.	
4.	Setting down for hearing	$ 30
5.	Pre-motion conference	75
	This item includes preparation and counsel fee.	
	An increased fee and a fee to junior counsel may be allowed in the discretion of the person determining costs.	
6.	Motion, up to	75
	This item includes notice of motion, affidavits, preparation, counsel fee and signing the order.	
	An increased fee and a fee to junior counsel may be allowed in the discretion of the person determining costs.	
7.	Examination, up to	100
	This item applies to each oral examination out of court, including preliminary steps, preparation and counsel fee.	
	An increased fee may be allowed in the discretion of the person determining costs.	
8.	Settlement conference	75
	This item includes preparation, counsel fee and preparation of memorandum and order.	
	An increased fee and a fee to junior counsel may be allowed in the discretion of the person determining costs.	
9.	Notice or offer	35
	This item applies to each notice, including offer to settle, notice of acceptance and notice of withdrawal of offer.	
	An increased fee may be allowed in the discretion of the person determining costs.	
10.	Preparation for hearing, up to	350
	This item includes correspondence, brief at trial, summoning witnesses and counsel fee on settlement.	
	An increased fee may be allowed in the discretion of the person determining costs.	
11.	Hearing	
	This item includes counsel fee, written argument and attendance to hear judgment.	
	The fee to be allowed is in the discretion of the person determining costs. A fee to junior counsel may be allowed in the discretion of the person determining costs.	
12.	Order	
	To the party having carriage	35
	To other parties	15
	This item includes settling and signing an order,	

whether obtained on default or otherwise, where not included in item 5 or 8.

Subject to increase, in the discretion of the person determining costs, up to $100

13. Issuing or renewing a writ of seizure and sale or notice of garnishment 15

14. Assessment of costs, up to 75

NOTE:

A. Where for any reason the services covered by an item were not completed, the fee may be reduced by the person determining costs.

PART II—DISBURSEMENTS

15. Attendance money actually paid to a witness, to be calculated as follows:

(a) attendance allowance for each day of necessary attendance. 50

(b) travel allowance, where the hearing or examination is held,

(i) in a city or town in which the witness resides, $3 for each day of necessary attendance;

(ii) within 300 kilometres of where the witness resides, 24 cents a kilometre each way between his or her residence and the place of hearing or examination;

(iii) more than 300 kilometres from where the witness resides, the minimum return air fare plus 24 cents a kilometre each way from his or her residence to the airport and from the airport to the place of hearing or examination.

(c) overnight accommodation and meal allowance, where the witness resides elsewhere than the place of hearing or examination and is required to remain overnight, for each overnight stay. 75

16. Fees or expenses actually paid to a court, court reporter, official examiner or sheriff under the regulations under the *Administration of Justice Act*.

17. For service or attempted service of a document,

(a) in Ontario, the amount actually paid, not exceeding the fee payable to a sheriff under the regulations under the *Administration of Justice Act*;

(b) outside Ontario, a reasonable amount;

(c) that was ordered to be served by publication, a reasonable amount.

18. For an examination and a transcript of evidence taken on the examination, the amount actually paid, not exceeding the fee payable to an official examiner under the regulations under the *Administration of Justice Act*.

19. For the preparation of a plan, model, videotape, film or photograph reasonably necessary for the conduct of the proceeding, a reasonable amount.

20. For experts' reports that were supplied to the other parties as required by the *Evidence Act* or these rules and that were reasonably necessary for the conduct of the proceeding, a reasonable amount.

21. The cost of the investigation and report of the Official Guardian.

22. For an expert who gives opinion evidence at the hearing or whose attendance was reasonably necessary at the hearing, a reasonable amount not exceeding $350 a day, subject to increase in the discretion of the person determining costs.

23. For an interpreter for services at the hearing or on an examination, a reasonable amount not exceeding $100 a day, subject to increase in the discretion of the person determining costs.

24. Where ordered by the presiding judge, such travelling and accommodation expenses incurred by a party as, in the discretion of the person determining costs, appear reasonable.

25. For copies of any documents or authorities prepared for or by a party for the use of the court and supplied to the opposite party, a reasonable amount.

26. For copies of records and factums, a reasonable amount.

27. The cost of certified copies of documents such as orders, birth, marriage, death certificates, abstracts of title, deeds, mortgages and other registered documents where reasonably necessary for the conduct of the proceeding.

28. The cost of transcripts of proceedings of courts or tribunals,

(a) where required by the court or the rules; or

(b) where reasonably necessary for the conduct of the proceeding.

29. Where ordered by the presiding judge, for any other disbursement reasonably necessary for the conduct of the proceeding, a reasonable amount in the discretion of the person determining costs. O. Reg. 808/84, s. 31, *part*.

Courts of Justice Act
Loi sur les tribunaux judiciaires

Ontario Court (Provincial Division)
Cour de l'Ontario (Division provinciale)

Acknowledgement of Service
Accusé de réception de la signification

Form 1
Formule 1

Court file no./Dossier nº

at/à .....

.....
address/adresse

You are requested to complete and sign this card and mail it immediately. If you fail to return this card, the document(s) may be served personally on you and you may be liable to pay the cost of service.
Nous vous prions de remplir et de signer cette carte et de la poster immédiatement. En cas de non-expédition de la présente carte, il se peut que le(s) document(s) vous soit (soient) signifié(s) à personne et que vous ayez à payer les frais de la signification.

I, ... of .....
Je soussigné Name/nom du Address for service/adresse

..... acknowledge receipt of a copy of the documents checked:
aux fins de signification accuse réception d'une copie des documents cochés :

- ☐ Application / Demande
- ☐ Notice of Court Hearing / Avis d'audience du tribunal
- ☐ Financial Statement / État financier
- ☐ Financial Statement in Blank Form / État financier en blanc
- ☐ Answer / Réponse
- ☐ Answer in Blank Form / Réponse en blanc
- ☐ Notice of Claim by Respondent / Avis de demande par l'intimé
- ☐ Reply by Added Party / Réponse de la partie jointe
- ☐ Reply by Applicant / Réponse de l'auteur de la demande
- ☐ Affidavit to Commence Motion / Affidavit introduisant la requête
- ☐ Notice of Motion / Avis de requête
- ☐ Other (Specify) / Autre (préciser)

....
Date Signature

Notice: The above address will be used in future to serve you by mail until the court is advised by you of a new address for service.
Avis : La signification par la poste vous sera faite à l'avenir à l'adresse mentionnée ci-dessus jusqu'à ce que vous avisiez le tribunal de votre nouvelle adresse aux fins de la signification.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act
Loi sur les tribunaux judiciaires

Advertisement/*Annonce*

Form 2/*Formule 2*
AVIS A (nom et prénoms)

Court file no./
Dossier nº

An application has been made in this court for an order that may affect your rights. You may obtain further information from the court office at (address, street & number, municipality, postal code).

Une requête a été présentée à ce tribunal en vue d'obtenir une ordonnance, laquelle peut avoir un effet sur vos droits. Pour de plus amples renseignements à ce sujet, veuillez vous adresser au greffe suivant (adresse, rue et numéro, municipalité, code postal).

The court will hold a hearing at (address, street & number, municipality, postal code or the same address)

Le tribunal tiendra une audience au (adresse, rue et numéro, municipalité, code postal ou adresse identique à celle ci-dessus)

on (date) at (time)

le (date) *à (heures)*

or as soon after that time as the case can be heard. If you do not come to the hearing, an order may be made in your absence and enforced against you.

ou dès que la cause pourra être entendue. Si vous ne vous présentez pas à l'audience, une ordonnance peut être rendue en votre absence et exécutée contre vous.

You may also obtain information about this matter from (name and address of person publishing notice).

Vous pouvez aussi obtenir des renseignements à ce sujet en vous adressant à (nom et adresse de la personne qui publie l'avis.)

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Warrant for Arrest

Form 3 Court file no.

at .....

.....
(*address*)

To .....
and to all other peace officers in the Province of Ontario.

I command you to arrest .....
(Name)
on the grounds that *(insert one of the grounds set out on the back of this warrant)*

And I command you to bring him or her before this court to be dealt with according to law, but if the court is not then sitting,

Check for arrest without release ☐ I command you to take him or her to the nearest provincial correctional institution or other secure facility and to detain him or her until he or she can be brought before the court.

Check for release after arrest on terms ☐ I command you to bring him or her before the clerk of the court or a justice of the peace as soon as practicable for release upon the following terms:

a) He or she shall furnish the clerk or justice with an undertaking in writing to appear in this court within fourteen days after arrest.

b) He or she shall enter into a recognizance (with) (without) sureties before the clerk or justice in Form 62 in the amount of $....., conditioned upon appearing at this court within fourteen days after arrest.
(Strike out if not applicable)

c) *(Here state any other terms of release)*

This warrant need not be executed if he or she is found beyond ..... kilometres from the court of issue.

This warrant expires on .....

....
Date of issue Signature of judge

I have advised this arrested person of the reasons for arrest and of his or her right to counsel.

....
Date Signature of arresting officer

Note: The description of the person to be arrested is on the back of this warrant.

Insert all available information

Full Name				Birth Date (D,M,Y)	Sex
Address				Telephone Number	
Height	Weight	Hair Colour	Hair Style	Eye Colour	Complexion
Other Features					

Grounds:

The person is a respondent in an application for support or variation of support and is about to leave Ontario and there are reasonable grounds to believe that the respondent intends to evade his or her responsibilities under the *Family Law Act.*

The person is a debtor for whom a notice of default has been issued and is about to leave Ontario and there are reasonable grounds to believe that the respondent intends to evade his or her responsibilities under this Act or an agreement enforceable under this Act.

The person is a debtor who has failed to appear to a notice of default that has been served.

The person is a debtor who has been served with a notice of default and is about to leave Ontario and there are reasonable grounds to believe that the respondent intends to evade his or her responsibilities under an order or agreement enforceable under the *Support and Custody Orders Enforcement Act.*

Loi sur les tribunaux judiciaires

Cour de l'Ontario (Division provinciale)

Mandat d'arrestation

Formule 3 N° de dossier de la cour :

à _____

_____
adresse

À
et à tous les agents de la paix de la province de l'Ontario.

Nous vous enjoignons de procéder à l'arrestation de _____
nom

pour le motif que (inscrire l'un des motifs énoncés au verso du présent mandat)

Nous vous enjoignons de plus d'amener cette personne devant le tribunal précité pour qu'elle soit traitée selon la loi. Toutefois, si le tribunal ne siège pas,

Cocher si arrestation sans remise en liberté

☐ Nous vous enjoignons de conduire cette personne à l'établissement correctionnel ou à l'établissement en milieu fermé le plus rapproché et de l'y détenir jusqu'à ce qu'elle puisse être amenée devant le tribunal.

Cocher si remise en liberté sous condition après l'arrestation

☐ Nous vous enjoignons d'amener cette personne dès que possible devant le greffier de la cour ou un juge de paix pour qu'elle soit remise en liberté aux conditions suivantes:

a) remettre au greffier ou au juge de paix un engagement écrit de comparaître devant le tribunal précité dans les quatorze jours de son arrestation.

b) contracter auprès du greffier ou du juge de paix, un engagement d'un montant de _____ $ avec (sans) caution, selon la formule 62, sous réserve de sa comparution devant le tribunal précité dans les quatorze jours de son arrestation.
(Biffer les mentions inutiles)

c) (inscrire ici toute autre condition de remise en liberté)

Il n'y a pas lieu d'exécuter le présent mandat si cette personne est retrouvée au-delà de kilomètres du tribunal qui a décerné le mandat.

Ce mandat est valide jusqu'au _____

_____ _____
Date de délivrance Signature du juge

Nous avons informé la personne appréhendée des motifs de son arrestation ainsi que de son droit aux services d'un avocat.

_____ _____
Date Signature de l'agent qui a procédé à l'arrestation

REMARQUE: Le signalement de la personne qui doit être appréhendée figure au verso du présent mandat.

Inscrire tous les renseignements connus

Nom(s) et prénom(s)				*Date de naissance (jour/mois, année)*	*Sexe*
Domicile ou lieu				*Numéro de téléphone*	
Taille	*Poids*	*Couleur des cheveux*	*Coiffure*	*Couleur des yeux*	*Teint*
Autres caractéristiques					

Motifs

L'intimé, dans une requête en vue d'obtenir une ordonnance alimentaire, ou en modification d'une ordonnance alimentaire est sur le point de quitter l'Ontario et il existe des motifs raisonnables de croire que cette personne a l'intention de se soustraire aux responsabilités que lui impose la Loi sur le droit de la famille.

Il a été délivré à l'intention du débiteur un avis de défaut et celui-ci est sur le point de quitter l'Ontario et il existe des motifs raisonnables de croire que cette personne a l'intention de se soustraire aux responsabilités que lui impose la présente loi ou un accord exécutoire aux termes de celle-ci.

Le débiteur a fait défaut de comparaître, suite à la signification d'un avis de défaut.

Le débiteur a reçu signification d'un avis de défaut et est sur le point de quitter l'Ontario et il existe des motifs raisonnables de croire que cette personne a l'intention de se soustraire aux responsabilités que lui impose une ordonnance ou un accord exécutoire aux termes de la Loi sur l'exécution d'ordonnances alimentaires et de garde d'enfants.

O. Reg. 94/86, s. 17, *revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Promise to Appear

Form 4 | Court file no.

at .....

.....
(*address*)

In order that I may be released from custody, I promise to appear before the presiding judge of the Ontario Court (Provincial Division) at

..... at ..... and to attend
(address of court) (date) (time)
as required by the court.

I understand that failure without lawful excuse to attend court in accordance with this promise may result in my arrest and detention.

.....
date

....
Witness Signature

.....
Print name

.....
Address for service

.....

.....

Loi sur les tribunaux judiciaires

Cour de l'Ontario (Division provinciale)

Ontario

Promesse de comparaître

Formule 4 *Dossier nº*

de _____

_____

adresse

Afin que je puisse être libéré, je promets de me présenter devant le président du tribunal de la Cour de l'Ontario (Division provinciale) de

(adresse du tribunal)

le *(date)* à *(heures)* et d'être présent par la suite tel que le requiert le tribunal.

Je comprends que le défaut, sans excuse légitime, de me présenter devant le tribunal conformément à la présente promesse, peut conduire à mon arrestation et à ma détention.

_____
date

_____
témoin

_____
signature

_____
nom en caractères d'imprimerie

_____
domicile élu

_____

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court (Provincial Division)

Application

Form 5 | Court file no.

at .....

.....

(*address*)

Applicant(s) *If more than one applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone number*)	

Respondent(s) *If more than one respondent, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

1. I ask for an order for the following:

1a support for Birthdate
1a-i ☐ me ◊
1a-ii ☐ the following person(s):

Full name(s) Birthdate(s)

1b custody of
1b-i ☐ the children listed in 1a
1b-ii ☐ the following child(ren):

Full name(s) Birthdate(s)

1c visiting rights to the following child(ren):

Full name(s) Birthdate(s)

1d ☐ court costs

1e ☐ other—see next page, paragraph 5

2. I ask for an order for court costs including costs paid on my behalf by third parties, to whom I assign such costs collected.
3. There has never been any other court action for divorce, annulment, alimony, maintenance, support, custody, access, division of property, possession of the matrimonial home or contents, a restraining order or other matrimonial matters between the respondent and myself, or between the respondent and any person for whose benefit a claim is made in this Application, except: *(Give date, name of court, court file no., nature of case. If no other proceedings, state "None").*
4. The respondent has entered into the following written or oral agreement or understanding in respect of the claims made in the application: (Give details. If no agreement or understanding, state "None").

5. I also ask for an order for the following: (Specify)

6. The grounds for this application are as follows: (Give details of grounds. Attach an additional page if necessary, and date and sign it.)

....

Date Signature

Where the applicant claims financial support or claims custody of a child, this form must be accompanied by a financial statement in Form 6.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Demande

Formule 5 | N° de dossier de la cour :

à _____

_____
adresse

Requérant(s) *S'il y a plusieurs requérants, donner le nom, l'adresse et renseignements concernant chacun d'eux*

Nom et prénom(s)	Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)	Domicile élu (rue & numéro, municipalité, code postal)
Avocat (nom, adresse, numéro de téléphone)	Avocat (nom, adresse, numéro de téléphone)

Intimé(s) *S'il y a plusieurs intimés, donner les noms et adresses de chacun d'eux*

Nom et prénom(s)	Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)	Domicile élu (rue & numéro, municipalité, code postal)

1. Je sollicite une ordonnance

1a pour le soutien
- 1a-i ☐ de moi-même ➡
- 1a-ii ☐ des personnes suivantes:

Nom(s) et prénom(s) — Date(s) de naissance

1b de garde
- 1b-i ☐ des enfants énumérés en 1a
- 1b-ii ☐ de l'enfant (des enfants) ci-après:

Nom(s) et prénoms — Date(s) de naissance

1c de droits de visite de l'enfant (des enfants) ci-après:

Nom(s) et prénom(s) — Date(s) de naissance

1d ☐ adjudication des dépens

1e ☐ autre - voir page suivante, disposition 5

2. Je demande une ordonnance d'adjudication des dépens, y compris ceux qui sont versés en mon nom par les tiers et à qui cède ces dépens recouvrés.

3. Il n'y a jamais eu d'action en justice ayant trait au divorce, à l'annulation, à une pension alimentaire, au soutien financier, à l'entretien, à la garde d'enfants, à l'accès, à la division de la propriété, à la propriété du foyer conjugal ou son contenu, à une ordonnance restrictive ou à d'autres causes matrimoniales concernant l'intimé et moi-même ou l'intimé et toute personne nommée comme bénéficiaire dans la présente demande, à l'exception de: *(Donner la date, le nom du tribunal, le numéro de dossier, la nature de la cause. S'il n'y a pas eu d'autres procédures judiciaires, écrire «Néant».)*

4. L'intimé a donné son accord ou son entente, verbalement ou par écrit, à l'égard des revendications contenues dans cette demande: *(Préciser. S'il n'y a pas eu d'accord, écrire «Néant».)*

5. *Je sollicite également une ordonnance pour: (Préciser)*

6. *Cette demande s'appuie sur les raisons suivantes : (Préciser les motifs. Le cas échéant, ajouter une page supplémentaire qui devra être datée et signée.)*

Date *Signature*

Si le requérant demande un soutien financier ou la garde d'un enfant, il devra joindre un état financier (formule 6) à cette demande.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court (Provincial Division)

Financial Statement

Form 6 | Court file no.

at _____

I, _____ (Name), of _____ (address – street & number, municipality, postal code)

solemnly declare that details of my financial situation are accurately set out below, to the best of my knowledge and belief.

N.B.: REFER TO CONVERSION TABLE AND CONVERT EITHER TO ALL WEEKLY OR TO ALL MONTHLY FIGURES.

PART 1: INCOME			
SOURCE OF INCOME	WEEK	MONTH	
Pay, wages, salary (before deductions)	$	$	1
Public assistance	$	$	2
Unemployment iInsurance Worker's compensation	$	$	3
Pensions	$	$	4
Rent, board received	$	$	5
Baby bonus (Family assistance)	$	$	6
Support payments	$	$	7
Other (Income from business, interest tips, etc.; attach financial statements)	$	$	8
Total income from all sources	$	$	9

PART 1(a): INCOME DEDUCTIONS			
TYPE OF DEDUCTION	WEEK	MONTH	
Income tax	$	$	10
Union dues	$	$	11
Unemployment insurance	$	$	12
O. H. I. P., Blue Cross, etc.	$	$	13
Pension plans	$	$	14
Canada Pension	$	$	15
Credit union loan	$	$	16
Savings plans	$	$	17
Other	$	$	18
Total deductions	$	$	19

Subtract line 19 from line 9 = Take home pay = _____ /per week or month 20

PART 2: EXPENSES – COLUMN A		WEEK	MONTH	
Food	Groceries and household supplies	$	$	21
	Meals outside home	$	$	22
	Clothing	$	$	23
	Laundry and dry cleaning	$	$	24
Housing	Rent or mortgage	$	$	25
	Taxes	$	$	26
	Home insurance	$	$	27
	Fuel (heat)	$	$	28
	Water	$	$	29
	Hydro	$	$	30
	Phone	$	$	31
	Cable T V.	$	$	32
	Repairs and maintenance	$	$	33
	Other	$	$	34
Health & Medical	Insurance, O. H. I. P.	$	$	35
	Drugs	$	$	36
	Dental care	$	$	37
	Payment on debts	$	$	38
	Total column A	$	$	39

PART 2: EXPENSES – COLUMN B		WEEK	MONTH	
Transportation	Public transit, taxis, etc.	$	$	40
	Vehicle operation, gas and oil	$	$	41
	Insurance and licence	$	$	42
	Maintanance	$	$	43
	Life insurance	$	$	44
Education & Recreation	School fees, books, etc.	$	$	45
	Music lessons, hockey, etc	$	$	46
	Newspapers, publications stationery	$	$	47
	Entertainment, recreation	$	$	48
	Alcohol, tobacco	$	$	49
	Vacation	$	$	50
Personal Care	Hairdresser, barber	$	$	51
	Toilet articles (hairspray, soap, etc.)	$	$	52
	Babysitting, day care	$	$	53
	Children's allowances, gifts	$	$	54
	Support payments	$	$	55
	Savings for the future (excluding payroll deductions)	$	$	56
	Miscellaneous	$	$	57
	Total column B	$	$	58

Add line 39 and line 58 = Total expenses = $ _____ per week or month 60

PART 3: ASSETS

TYPE		DETAILS – IF SPACE NOT SUFFICIENT, USE SEPARATE SHEET	VALUE OR AMOUNT	
		STATE NATURE AND ADDRESSES OF PROPERTY AND OWNERSHIP		
REAL ESTATE	1		.	60
	2		.	61
	3		.	62
		STATE YEAR AND MAKE		
CARS, BOATS, VEHICLES	1		.	63
	2		.	64
	3		.	65
		STATE WHERE LOCATED		
HOUSEHOLD GOODS AND FURNITURE	1		.	66
	2		.	67
	3		.	68
		DESCRIPTION		
TOOLS, SPORTS HOBBY, EQUIPMENT	1		.	69
	2		.	70
	3		.	71
		STATE TYPE - TYPE - ISSUER - DUE DATE - NUMBER OF SHARES		
BONDS - SHARES - TERM DEPOSITS - INVESTMENT CERTIFICATES	1		.	72
	2		.	73
	3		.	74
		STATE NAME AND LOCATION ACCOUNT NUMBER		
BANK ACCOUNTS	1		.	75
	2		.	76
	3		.	77
		STATE TYPE AND ISSUER ACCOUNT NUMBER		
SAVINGS PLANS R.R.S.P. PENSION PLANS	1		.	78
	2		.	79
	3		.	80
		TYPE - BENEFICIARY - FACE AMOUNT	CASH SURRENDER VALUE ▼	
LIFE INSURANCE	1		.	81
	2		.	82
	3		.	83
		STATE NATURE AND LOCATION OF BUSINESS		
INTEREST IN BUSINESS *Attach separate financial statements for each business*	1		.	84
	2		.	85
	3		.	86
		STATE NAMES OF DEBTORS		
MONEY OWED TO YOU	1		.	87
	2		.	88
	3		.	89
OTHER ASSETS	1		.	90
	2		.	91
	3		.	92
		TOTAL ESTIMATED VALUE $		93

PART 4: DEBTS					
IF SPACE NOT SUFFICIENT, USE SEPARATE SHEET					
TYPE OF DEBT	CREDITOR	SECURITY	FULL AMOUNT NOW OWING	MONTHLY PAYMENTS	
BANK OR TRUST CORPORATION LOANS					94
			.	.	95
			.	.	96
FINANCE COMPANY LOANS			.	.	97
			.	.	98
			.	.	99
CREDIT CARD LOANS		.		.	100
			.	.	101
			.	.	102
OTHER DEBTS		.		.	103
			.	.	104
		.		.	105
			.	.	106
			.	.	107
			.	.	108
					109
		TOTALS			

PART 5: OTHER INFORMATION

1. The expenses shown in Part 2 of this form are for:

   ☐ me

   ☐ the following child(ren): *(Give name(s) and date(s) of birth)*

   ☐ the following other person(s): *(Give name(s) and relationship(s))*

2. My employer's name and address is:

3. Attached to this form is a copy of my income tax return filed with the Department of National Revenue for the last taxation year, together with all material filed with it and a copy of any notice of assessment or reassessment that I have received from the department for that year. *(If no returns filed, state: "None filed").*

4. I also attach a statement showing future material changes that may affect my income, expense, assets or debts. *(Strike out if not applicable)*

Sworn (or affirmed) before me at the ....., of .....

in the ....., of .....

on ....., 19..... .....

A commissioner, etc.

.....

Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits)

Loi sur les tribunaux judiciaires

Cour de l'Ontario (Division provinciale)

Ontario

à _____

_____
adresse

État financier

Formule 6

N° DE DOSSIER DE LA COUR

Je soussigné(e), _____, de/du _____
nom *(domicile élu, rue et numéro, municipalité et code postal)*

déclare solennellement que les précisions concernant ma situation financière sont énumérées correctement ci-dessous au mieux de ma connaissance directe et de ce que je tiens pour véridique.

REMARQUE: SE REPORTER À LA TABLE DE CONVERSION ET CONVERTIR EN CHIFFRES SOIT HEBDOMADAIRES SOIT MENSUELS.

PARTIE 1: REVENU			
SOURCE DE REVENU	**SEMAINE**	**MOIS**	
Paie, traitement ou salaire (avant les retenues)	$	$	1
Prestations d'aide sociale	$	$	2
Prestations d'assurance-chômage Indemnités d'accident du travail	$	$	3
Rentes de retraite	$	$	4
Revenus de location	$	$	5
Allocations familiales	$	$	6
Aide financière	$	$	7
Autres (Revenu provenant d'activités commerciales, pourboires, etc., annexer les états financiers)	$	$	8
Total de revenu provenant de toutes sources	$	$	9

PARTIE 1(a): RETENUES À LA SOURCE			
GENRE DE RETENUE	**SEMAINE**	**MOIS**	
Impôt sur le revenu	$	$	10
Cotisations syndicales	$	$	11
Primes d'assurance-chômage	$	$	12
OHIP, Croix Bleue, etc.	$	$	13
Régimes de retraite	$	$	14
Cotisations au Régime de pensions du Canada	$	$	15
Emprunt auprès d'une caisse populaire	$	$	16
Régimes d'épargne	$	$	17
Autres	$	$	18
Total des retenues	$	$	19

Soustraire le montant indiqué à la rubrique 19 de celui indiqué à la rubrique 9 – salarie net = par semaine ou mois 20

PARTIE 2: DÉPENSES – COLONNE A				
		SEMAINE	**MOIS**	
Nourriture	Articles d'épicerie et articles ménagers	$	$	21
	Repas à l'extérieur de la maison	$	$	22
	Vêtements	$	$	23
	Blanchissage et nettoyage à sec	$	$	24
Logement	Loyer ou hypothèque	$	$	25
	Impôt	$	$	26
	Assurance-maison	$	$	27
	Mazout (chauffage)	$	$	28
	Eau	$	$	29
	Électricité	$	$	30
	Téléphone	$	$	31
	Télédistribution	$	$	32
	Réparations et entretien	$	$	33
	Autres	$	$	34
Santé et soins médicaux	Assurance, OHIP	$	$	35
	Médicaments	$	$	36
	Soins dentaires	$	$	37
	Remboursement de dettes	$	$	38
	Total de la colonne A	$	$	39

Ajouter le montant indiqué à la rubrique 39 et celui indiqué à la rubrique 58 = Total des dépenses = $ par semaine ou mois 59

PARTIE 2: DEPENSES – COLONNE B				
		SEMAINE	**MOIS**	
Transport	Transport en commun, taxis, etc.	$	$	40
	Utilisation d'un véhicule, essence et huile	$	$	41
	Assurance et permis	$	$	42
	Entretien	$	$	43
	Assurance-vie	$	$	44
Études et loisirs	Frais de scolarité, livres, etc.	$	$	45
	Leçons de musique, hockey, etc.	$	$	46
	Journaux, revues, papeterie	$	$	47
	Sorties, loisirs	$	$	48
	Alcool, tabac	$	$	49
	Vacances	$	$	50
Soins personnels	Coiffeur	$	$	51
	Articles de toilette (laque, savon, etc.)	$	$	52
	Gardienne d'enfants, garderie	$	$	53
	Allocations des enfants, cadeaux	$	$	54
	Aide financière	$	$	55
	Épargne (à l'exclusion des retenues salariales)	$	$	56
	Divers	$	$	57
	Total de la colonne B	$	$	58

PARTIE 3: ACTIF				
GENRE		**PRECISIONS – SI L'ESPACE EST INSUFFISANT, UTILISER UNE AUTRE FEUILLE**	**VALEUR OU MONTANT**	
		INDIQUER LA NATURE ET L'ADRESSE DU BIEN ET LE DROIT DE PROPRIÉTÉ		
BIENS IMMEUBLES	1		.	60
	2		.	61
	3		.	62
		INDIQUER L'ANNÉE ET LA MARQUE		
VOITURES, BATEAUX, VÉHICULES	1		.	63
	2		.	64
	3		.	65
		INDIQUER LE LIEU DE LEUR EMPLACEMENT		
EFFETS MOBILIERS ET MEUBLES	1		.	66
	2		.	67
	3		.	68
		DESCRIPTION		
OUTILS, SPORTS, PASSE-TEMPS, ÉQUIPEMENT	1		.	69
	2		.	70
	3		.	71
		INDIQUER LE TYPE, L'ÉMETTEUR, LA DATE D'ÉCHÉANCE, LE NOMBRE D'ACTIONS		
OBLIGATIONS, ACTIONS, DÉPÔTS À TERME, CERTIFICATS DE DÉPÔTS	1		.	72
	2		.	73
	3		.	74
		INDIQUER LE NOM ET L'ADRESSE NUMÉRO DE COMPTE		
COMPTES BANCAIRES	1		.	75
	2		.	76
	3		.	77
		INDIQUER LE TYPE ET L'ÉMETTEUR NUMÉRO DE COMPTE		
RÉGIMES D'ÉPARGNE R.E.E.R. RÉGIMES DE RETRAITE	1		.	78
	2		.	79
	3		.	80
		TYPE – BÉNÉFICIAIRE – CAPITAL ASSURÉ	VALEUR DE RACHAT ▼	
ASSURANCE-VIE	1		.	81
	2		.	82
	3		.	83
		INDIQUER LA NATURE ET L'ADRESSE DE L'ENTREPRISE		
INTÉRÊTS DANS UNE ENTREPRISE *Annexer des états financiers distincts pour chaque entreprise*	1		.	84
	2		.	85
	3		.	86
		INDIQUER LE NOM DES DÉBITEURS		
CRÉANCES	1		.	87
	2		.	88
	3		.	89
		DONNER LA DESCRIPTION ET L'ADRESSE		
AUTRE ACTIF	1		.	90
	2		.	91
	3		.	92
		VALEUR TOTALE ESTIMÉE		93

PARTIE 4: DETTES					
SI L'ESPACE EST INSUFFISANT, UTILISER UNE AUTRE FEUILLE					
TYPE DE DETTE	CRÉANCIER	GARANTIE	MONTANT TOTAL DÛ	PAIEMENT MENSUELS	
EMPRUNTS AUPRÈS D'UNE BANQUE OU D'UNE SOCIÉTÉ DE FIDUCIE			.	.	94
			.	.	95
			.	.	96
EMPRUNTS AUPRÈS D'UNE SOCIÉTÉ DE CRÉDIT			.	.	97
			.	.	98
			.	.	99
EMPRUNTS SUR CARTES DE CRÉDIT			.	.	100
			.	.	101
			.	.	102
AUTRES DETTES			.	.	103
			.	.	104
			.	.	105
			.	.	106
			.	.	107
			.	.	108
		TOTAUX			109

PARTIE 5: AUTRES RENSEIGNEMENTS

1. Les dépenses indiquées à la partie 2 de la présente formule sont imputables:

   ☐ à moi-même

   ☐ à l'enfant (aux enfants) suivant(s): *(donner le(les) nom(s) et la(les) date(s) de naissance)*

   ☐ à l'autre (aux autres) personne(s): *(donner le(les) nom(s) et le lien de parenté)*

2. Les nom et adresse de mon employeur sont les suivants:

3. Vous trouverez joint à cette formule une copie de la déclaration d'impôt que j'ai envoyée au ministère du Revenu national pour la dernière année d'imposition ainsi que la copie des pièces qui y étaient jointes. Vous trouverez également ci-joint une copie des avis de cotisation ou de nouvelle cotisation d'impôt que j'ai reçus du ministère au cours de l'année visée. *(Si aucune déclaration d'impôt n'a été envoyée, indiquer "aucune").*

4. J'annexe également un état indiquant les changements importants qui peuvent avoir des conséquences sur mon revenu, mes dépenses, mon actif ou mes dettes. *(Biffer le cas échéant).*

Déclaré sous serment ou affirmé solennellement devant moi dans le/la _____ de _____

dans le/la _____ de _____

le _____ , 19 ___ .

_____
Commissaire, etc.

_____
Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux serments.)

CONVERSION CHART – Monthly, Weekly
BARÈME DE CONVERSION – Par mois, par semaine

M	W/S	M	W/S	M	W/S	M	W/S	M	W/S	M	W/S	M	W/S
		$ 600	138.55	$1200	277.15	$1800	415.70	$2400	554.25	$3000	692.85	$3600	831.40
		605	139.70	1205	278.30	1805	416.85	2405	555.40	3005	694.00	3605	832.55
$ 10	$ 2.30	610	140.85	1210	279.45	1810	418.00	2410	556.55	3010	695.15	3610	833.70
15	3.45	615	142.00	1215	280.60	1815	419.15	2415	557.75	3015	696.30	3615	834.85
20	4.60	620	143.15	1220	281.75	1820	420.30	2420	558.90	3020	697.45	3620	836.05
25	5.80	625	144.30	1225	282.90	1825	421.45	2425	560.05	3025	698.60	3625	837.20
30	6.95	630	145.45	1230	284.05	1830	422.60	2430	561.20	3030	699.75	3630	838.35
35	8.10	635	146.65	1235	285.20	1835	423.75	2435	562.35	3035	700.90	3635	839.50
40	9.25	640	147.80	1240	286.35	1840	424.90	2440	563.50	3040	702.05	3640	840.65
45	10.40	645	148.95	1245	287.50	1845	426.10	2445	564.65	3045	703.20	3645	841.80
50	11.55	650	150.10	1250	288.65	1850	427.25	2450	565.80	3050	704.35	3650	842.95
55	12.70	655	151.25	1255	289.80	1855	428.40	2455	566.95	3055	705.50	3655	844.10
60	13.85	660	152.40	1260	290.95	1860	429.55	2460	568.10	3060	706.65	3660	845.25
65	15.00	665	153.55	1265	292.10	1865	430.70	2465	569.30	3065	707.80	3665	846.40
70	16.15	670	154.70	1270	293.30	1870	431.84	2470	570.45	3070	708.95	3670	847.55
75	17.30	675	155.85	1275	294.45	1875	433.00	2475	571.60	3075	710.15	3675	848.70
80	18.50	680	157.05	1280	295.60	1880	434.15	2480	572.75	3080	711.30	3680	849.85
85	19.65	685	158.20	1285	296.75	1885	435.30	2485	573.90	3085	712.45	3685	851.05
90	20.80	690	159.35	1290	297.90	1890	436.45	2490	575.05	3090	713.60	3690	852.20
95	21.95	695	160.50	1295	299.05	1895	437.60	2495	576.20	3095	714.75	3695	853.35
100	23.10	700	161.65	1300	300.25	1900	438.75	2500	577.35	3100	715.90	3700	854.50
105	24.25	705	162.80	1305	301.40	1905	439.90	2505	578.50	3105	717.10	3705	855.65
110	25.40	710	163.95	1310	302.55	1910	441.10	2510	579.65	3110	718.25	3710	856.80
115	26.55	715	165.10	1315	303.70	1915	442.25	2515	580.80	3115	719.40	3715	857.95
120	27.70	720	166.25	1320	304.85	1920	443.40	2520	581.95	3120	720.55	3720	859.15
125	28.85	725	167.40	1325	306.00	1925	444.55	2525	583.15	3125	721.70	3725	860.30
130	30.00	730	168.55	1330	307.15	1930	445.70	2530	584.30	3130	722.85	3730	861.45
135	31.20	735	169.70	1335	308.30	1935	446.85	2535	585.45	3135	724.00	3735	862.60
140	32.35	740	170.85	1340	309.45	1940	448.00	2540	586.60	3140	725.15	3740	863.75
145	33.50	745	172.05	1345	310.60	1945	449.15	2545	587.75	3145	726.30	3745	864.90
150	34.65	750	173.20	1350	311.75	1950	450.30	2550	588.90	3150	727.45	3750	866.05
155	35.80	755	174.35	1355	312.95	1955	451.45	2555	590.05	3155	728.60	3755	867.20
160	36.95	760	175.50	1360	314.10	1960	452.60	2560	591.20	3160	729.75	3760	868.35
165	38.10	765	176.65	1365	315.30	1965	453.75	2565	592.35	3165	730.90	3765	869.50
170	39.25	770	177.80	1370	316.45	1970	454.90	2570	593.50	3170	732.10	3770	870.65
175	40.40	775	178.95	1375	317.60	1975	456.10	2575	594.65	3175	733.25	3775	871.80
180	41.60	780	180.15	1380	318.75	1980	457.25	2580	595.80	3180	734.40	3780	873.00
185	42.75	785	181.30	1385	319.90	1985	458.40	2585	596.95	3185	735.55	3785	874.15
190	43.90	790	182.45	1390	321.05	1990	459.55	2590	598.15	3190	736.70	3790	875.30
195	45.05	795	183.60	1395	322.20	1995	460.70	2595	599.30	3195	737.85	3795	876.45
200	46.20	800	184.75	1400	323.35	2000	461.85	2600	600.45	3200	739.05	3800	876.60
205	47.35	805	185.90	1405	324.50	2005	463.00	2605	601.60	3205	740.20	3805	877.75
210	48.50	810	187.05	1410	325.65	2010	464.20	2610	602.75	3210	741.35	3810	878.90
215	49.65	815	188.20	1415	326.80	2015	465.35	2615	603.90	3215	742.50	3815	881.05
220	50.80	820	189.40	1420	327.95	2020	466.50	2620	605.10	3220	743.65	3820	882.20
225	51.95	825	190.55	1425	329.10	2025	467.65	2625	606.25	3225	744.80	3825	883.35
230	53.10	830	191.70	1430	330.25	2030	468.80	2630	607.40	3230	745.95	3830	884.50
235	54.30	835	192.85	1435	331.40	2035	470.00	2635	608.55	3235	747.10	3835	885.65
240	55.45	840	194.00	1440	332.55	2040	471.15	2640	609.70	3240	748.25	3840	886.80
245	56.60	845	195.15	1445	333.70	2045	472.30	2645	610.85	3245	749.40	3845	887.95
250	57.75	850	196.30	1450	334.85	2050	473.45	2650	612.00	3250	750.55	3850	889.15
255	58.90	855	197.45	1455	336.00	2055	474.60	2655	613.15	3255	751.70	3855	890.30
260	60.05	860	198.60	1460	337.15	2060	475.75	2660	614.30	3260	752.85	3860	891.45
265	61.20	865	199.75	1465	338.30	2065	476.90	2665	615.45	3265	754.05	3865	892.60
270	62.35	870	200.90	1470	339.45	2070	478.05	2670	616.60	3270	755.20	3870	893.75
275	63.50	875	202.05	1475	340.65	2075	479.20	2675	617.75	3275	756.35	3875	894.90
280	64.65	880	203.25	1480	341.80	2080	480.35	2680	618.90	3280	757.50	3880	896.10
285	65.80	885	204.40	1485	342.95	2085	481.50	2685	620.10	3285	758.65	3885	897.25
290	67.00	890	205.55	1490	344.10	2090	482.65	2690	621.25	3290	759.80	3890	898.40
295	68.15	895	206.70	1495	345.25	2095	483.80	2695	622.40	3295	760.95	3895	899.55
300	69.30	900	207.85	1500	346.40	2100	484.95	2700	623.55	3300	762.10	3900	900.80
305	70.45	905	209.00	1505	347.55	2105	486.15	2705	624.70	3305	763.25	3905	901.75
310	71.60	910	210.15	1510	348.75	2110	487.30	2710	625.85	3310	764.40	3910	902.90
315	72.75	915	211.30	1515	349.90	2115	488.45	2715	627.00	3315	765.55	3915	904.15
320	73.90	920	212.45	1520	351.05	2120	489.60	2720	628.15	3320	766.70	3920	905.30
325	75.05	925	213.60	1525	352.20	2125	490.75	2725	629.30	3325	767.85	3925	906.45
330	76.20	930	214.75	1530	353.35	2130	491.90	2730	630.45	3330	769.05	3930	907.60
335	77.35	935	215.90	1535	354.50	2135	493.10	2735	631.60	3335	770.20	3935	908.75
340	78.50	940	217.05	1540	355.65	2140	494.25	2740	632.80	3340	771.35	3940	909.90
345	79.65	945	218.25	1545	356.80	2145	495.40	2745	633.95	3345	772.50	3945	911.10
350	80.80	950	219.40	1550	357.95	2150	496.55	2750	635.10	3350	773.65	3950	912.25
355	81.95	955	220.55	1555	359.10	2155	497.70	2755	636.25	3355	774.80	3955	913.40
360	83.15	960	221.70	1560	360.25	2160	498.85	2760	637.40	3360	775.95	3960	914.55
365	84.30	965	222.85	1565	361.40	2165	500.00	2765	638.55	3365	777.15	3965	915.70
370	85.45	970	224.00	1570	362.60	2170	501.15	2770	639.70	3370	778.30	3970	916.85
375	86.60	975	225.15	1575	363.75	2175	502.30	2775	640.85	3375	779.45	3975	918.00
380	87.75	980	226.30	1580	364.90	2180	503.45	2780	642.05	3380	780.60	3980	919.15
385	88.90	985	227.45	1585	366.05	2185	504.60	2785	643.20	3385	781.75	3985	920.30
390	90.05	990	228.65	1590	367.20	2190	505.75	2790	644.35	3390	782.90	3990	921.45
395	91.20	995	229.80	1595	368.35	2195	506.90	2795	645.50	3395	784.05	3995	922.60
400	92.40	1000	230.95	1600	369.50	2200	508.10	2800	646.65	3400	785.20	4000	923.75
405	93.55	1005	232.10	1605	370.65	2205	509.25	2805	647.80	3405	786.35		
410	94.70	1010	233.25	1610	371.80	2210	510.40	2810	648.95	3410	787.50		
415	95.85	1015	234.40	1615	372.95	2215	511.55	2815	650.10	3415	788.65		
420	97.00	1020	235.55	1620	374.15	2220	512.65	2820	651.25	3420	789.80		
425	98.15	1025	236.70	1625	375.30	2225	513.80	2825	652.40	3425	790.95		
430	99.30	1030	237.85	1630	376.45	2230	514.95	2830	653.55	3430	792.15		
435	100.45	1035	239.05	1635	377.60	2235	516.15	2835	654.70	3435	793.30		
440	101.60	1040	240.20	1640	378.75	2240	517.30	2840	655.85	3440	794.45		
445	102.75	1045	241.35	1645	379.90	2245	518.45	2845	657.05	3445	795.60		
450	103.90	1050	242.50	1650	381.05	2250	519.60	2850	658.20	3450	796.75		
455	105.05	1055	243.65	1655	382.20	2255	520.75	2855	659.35	3455	797.90		
460	106.20	1060	244.80	1660	383.35	2260	521.90	2860	660.50	3460	799.05		
465	107.40	1065	245.95	1665	384.50	2265	523.10	2865	661.65	3465	800.20		
470	108.55	1070	247.10	1670	385.65	2270	524.25	2870	662.80	3470	801.35		
475	109.70	1075	248.25	1675	386.80	2275	525.40	2875	663.95	3475	802.50		
480	110.85	1080	249.40	1680	388.00	2280	526.55	2880	665.10	3480	803.65		
485	112.00	1085	250.55	1685	389.15	2285	527.70	2885	666.25	3485	804.80		
490	113.15	1090	251.70	1690	390.30	2290	528.85	2890	667.45	3490	805.95		
495	114.30	1095	252.85	1695	391.45	2295	530.00	2895	668.60	3495	807.15		
500	115.50	1100	254.05	1700	392.60	2300	531.15	2900	669.75	3500	808.30		
505	116.65	1105	255.20	1705	393.75	2305	532.30	2905	670.90	3505	809.45		
510	117.80	1110	256.35	1710	394.90	2310	533.50	2910	672.05	3510	810.60		
515	118.95	1115	257.50	1715	396.05	2315	534.65	2915	673.20	3515	811.75		
520	120.10	1120	258.65	1720	397.20	2320	535.80	2920	674.35	3520	812.90		
525	121.25	1125	259.80	1725	398.35	2325	536.95	2925	675.50	3525	814.10		
530	122.40	1130	260.95	1730	399.50	2330	538.10	2930	676.65	3530	815.25		
535	123.55	1135	262.10	1735	400.70	2335	539.25	2935	677.80	3535	816.40		
540	124.70	1140	263.30	1740	401.85	2340	540.40	2940	679.00	3540	817.55		
545	125.85	1145	264.45	1745	403.00	2345	541.55	2945	680.15	3545	818.70		
550	126.00	1150	265.60	1750	404.15	2350	542.70	2950	681.30	3550	819.85		
555	127.15	1155	266.75	1755	405.30	2355	543.85	2955	682.45	3555	821.05		
560	129.30	1160	267.90	1760	406.45	2360	545.05	2960	683.60	3560	822.20		
565	130.45	1165	269.05	1765	407.60	2365	546.20	2965	684.75	3565	823.35		
570	131.60	1170	270.20	1770	408.75	2370	547.35	2970	685.90	3570	824.50		
575	132.75	1175	271.35	1775	409.90	2375	548.50	2975	687.05	3575	825.65		
580	133.90	1180	272.50	1780	411.10	2380	549.65	2980	688.20	3580	826.80		
585	135.05	1185	273.65	1785	412.25	2385	550.80	2985	689.35	3585	827.95		
590	136.20	1190	274.80	1790	413.40	2390	551.95	2990	690.50	3590	829.10		
595	137.35	1195	275.95	1795	414.55	2395	553.10	2995	691.70	3595	830.25		

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Hearing

Form 7 | Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

To the Respondent(s)

An application has been made in this court for an order against you. The details are set out in the attached application.

The court will hold a hearing at .....
(*street & number, municipality, postal code*)

on ..... at .....
(*date*) (*time*)

or as soon after that time as the case can be heard.

If you dispute the claims made in the application, you must file an answer with the court office at .....

.....
(*street & number, municipality, postal code*)

within ten days after receiving this notice.

If a financial statement in Form 6 is attached to this notice, you must file your own financial statement in Form 6 with the court within ten days after receiving this notice.

If you fail to appear at the hearing, an order may be made in your absence and enforced against you.

....
Date Clerk of the court

NOTE: A copy of the application signed by the applicant should be attached to this notice, along with an answer form for you to fill out and file with the court. If the application or answer form is missing, you should contact your own lawyer or the court office.

If a financial statement in Form 6 is attached to this notice, you should receive a blank copy of the same form for you to fill out and file with the court. If the blank form is missing, you should contact your own lawyer, or the court office.

If you wish assistance in filling out the answer form, you may contact your own lawyer or the court office.

Documents may be filed with the court by mail.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis d'audience du tribunal

Formule 7 *N° de dossier de la cour :*

à _____

_____

adresse

Requérant(s)

Intimé(s)

À l'intimé/Aux intimés

Le tribunal a été saisi d'une requête visant à rendre une ordonnance contre vous. Les détails figurent dans la requête ci-jointe.

Le tribunal tiendra une audience à: (rue, numéro, municipalité, code postal)

le (date)

à (heure)

ou après cette date, dès que la cause pourra être entendue.

Si vous désirez contester les revendications contenues dans ladite demande, vous devrez remplir et déposer une réponse auprès du greffe du tribunal à (rue & numéro, municipalité, code postal)

dans les dix jours suivant la réception du présent avis.

Si un état financier (formule 6) est joint au présent avis, vous devrez préparer votre propre état financier sur la formule 6 et le remettre au tribunal dans les dix jours suivant la réception de l'avis.

En cas de non-comparution à l'audience, le tribunal pourra rendre une ordonnance contre vous en votre absence et la faire exécuter par voie légale.

_____ _____

Date *Greffier du tribunal*

REMARQUE: *Cet avis doit être accompagné d'un exemplaire de la demande signé par le requérant et d'un formulaire de réponse à remplir et à déposer auprès du tribunal*
En cas d'absence des formulaires précités, veuillez contacter votre avocat ou le greffe du tribunal.

Au cas où un état financier (formule 6) serait joint à cet avis vous devriez recevoir une formule 6 à remplir et à déposer auprès du greffe du tribunal
En cas d'absence de cette formule, veuillez contacter votre avocat ou le greffe du tribunal. Si vous le désirez, votre avocat ou le greffe du tribunal pourront vous aider à remplir la formule de réponse

Les documents peuvent être expédiés au tribunal par la poste.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court (Provincial Division)

Affidavit of Service
Application

Form 8 Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

I, ..., of the ..... of .....
name city, town, etc. name

in the ....., of ....., make oath and say (*or* affirm):
county, regional municipality, etc. name

On (*date*)	☐ by leaving a copy with (*name*)	☐ by leaving a copy with (*name of person*)
I served (*name of person served*)	a person apparently of the age of sixteen years or over, at the residence of the person to be served at (*address*)	(*office or position*)
		of that corporation, at (*address*)
with the following document(s) (*specify*)	☐ by leaving a copy at (*address*)	
		☐ other (*specify*)
	the address for service shown on the latest document filed by him/her in the proceeding in this court bearing court file no.	
	☐ by sending a copy by prepaid ordinary mail addressed to him/her at (*address*)	
☐ by leaving a copy with him/her at (*address*)	the address for service shown on the latest document filed by him/her in the proceeding in this court bearing court file no.	

To effect service, it was necessary for me to travel ..... kilometres.

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Affidavit de signification

Formule 8

N° de dossier de la cour :

à _____

_____
adresse

Requérant(s)

Intimé(s)

Je soussigné(e) _____ *nom* , *de la* _____ *ville, municipalité, etc* *de* _____ *nom*

dans le/la _____ *comté, municipalité régionale, etc.* , *de* _____ *nom* , *affirme sous serment (ou affirme solennellement) ce qui suit :*

Le (date)

j'ai signifié à (nom du destinataire)

le(s) document(s) suivant(s) (préciser)

☐ *en lui en remettant un exemplaire à (adresse)*

☐ *en en remettant un exemplaire à (nom de la personne)*

(titre ou fonction)

de cette personne morale à (adresse)

☐ *en en laissant un exemplaire à (adresse)*

l'adresse étant le domicile élu figurant sur le dernier document déposé par le destinataire au dossier judiciaire n°

de ce tribunal

☐ *en en remettant un exemplaire à (nom)*

une personne semblant avoir seize ans ou plus, au domicile de la personne visée par la signification à (adresse)

☐ *en lui en adressant un exemplaire par courrier ordinaire affranchi à (adresse)*

le domicile élu figurant sur le dernier document déposé par le destinataire au dossier judiciaire n°

de ce tribunal

☐ *d'une autre façon (préciser)*

Pour signifier ces documents, j'ai dû parcourir *kilomètres*

Déclaré sous serment (ou affirmé solennellement) devant moi à la _____ *de* _____

dans le/la _____ *de* _____

le _____ , *19* ___ .

_____
Commissaire

_____
Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Answer

Form 9

Court file no.

at .....

.....
(*address*)

Applicant(s) *If more than one applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one respondent, give name and address and lawyer details for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

1. I do not dispute the claims made in the following paragraphs of the application:

☐ paragraph 1, subparagraph(s) .....
☐ paragraph 2
☐ paragraph 3
☐ paragraph 4
☐ paragraph 5, subparagraph(s) .....
☐ paragraph 6, subparagraph(s) .....

2. I dispute the claims made in the following paragraphs of the application for the following reasons:
(*Give paragraph no. and grounds for dispute of that paragraph. Attach an additional page if necessary, and date and sign it.*)

....
Date Signature

Omit this page if you do not make a claim against any person.

3. I ask for an order against .....
(*name*)

of .....
(*address – street & number, municipality, postal code*)

for:

3a ☐ support for 3a-i ☐ me ◊ 3a-ii ☐ the following person(s): Full name(s) Birthdate(s)	3b ☐ custody of 3b-i ☐ the children listed in 3a 3b-ii ☐ the following child(ren): Full name(s) Birthdate(s)	3c ☐ visiting rights to the following child(ren): Full name(s) Birthdate(s)
3d ☐ court costs 3e ☐ other (*specify*)		

4. There has never been any other court action for divorce, annulment, alimony, maintenance, support, custody, access, division of property, possession of the matrimonial home or contents, a restraining order or other matrimonial matters between .....
(*name of person against whom claim is made*)

and me or between .....
(*name of person*)

and any person for whose benefit a claim is made in this answer except: (*Give date, name of court, court file no. nature of case. If no other proceedings, state "None").*

5. .....
(*Name of person against whom claim is made*)

has entered into the following written or oral agreement or understanding in respect of this claim: (*Give details. If no agreement or understanding, state "None").*

Omit this page if you do not make a claim against any person.

6. The grounds for this claim are as follows: (*Give details of grounds. Attach an additional page if necessary, and date and sign it.*)

....
Date Signature

Where you claim financial support or claim custody of a child, this form must be accompanied by a financial statement in Form 6.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Réponse

Formule 9 *N° de dossier de la cour :*

à _____

_____

adresse

Requérant(s) *S'il y a plusieurs requérants, donner le nom, l'adresse et les renseignements concernant chacun d'eux*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

Intimé(s) *S'il y a plusieurs intimés, donner les noms, adresses et renseignements concernant les avocats de chacun d'eux*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

1. ***Je ne conteste*** *pas les revendications formulées dans les paragraphes suivants de la demande:*

☐ *paragraphe 1, sous-paragraphe(s)* _____ ☐ *paragraphe 2* ☐ *paragraphe 3*

☐ *paragraphe 4* ☐ *paragraphe 5, sous-paragraphe(s)* _____ ☐ *paragraphe 6, sous-paragraphe(s)*

2. ***Je conteste*** *les revendications formulées dans les paragraphes suivants de la demande pour les raisons suivantes:*
(Préciser le n° de paragraphe et indiquer les motifs de la contestation. Le cas échéant, ajouter une page qui devra être datée et signée.)

_____ _____

Date *Signature*

Ne pas remplir cette page si vous ne présentez aucune revendication.

3. *Je demande qu'une ordonnance soit rendue contre* *(nom)*

de *(rue et numéro, municipalité, code postal)*

pour:

3a ☐ *soutien financier pour* — *Date de naissance*	3b ☐ *garde*	3c ☐ *droits de visite des enfants ci-après:*
3a-i ☐ *moi-même* ➡	3b-i ☐ *des enfants énumérés en 3a*	*Nom(s) et prénom(s))* — *Date(s) de naissance*
3a-ii ☐ *les personnes suivantes:*	3b-ii ☐ *des enfants suivants:*	
Nom(s) et prénom(s) — *Date(s) de naissance*	*Nom(s) et prénom(s)* — *Date(s) de naissance*	

3d ☐ *frais de justice*

3e ☐ *autres (préciser)*

4. *Il n'y a jamais eu d'action en justice ayant trait au divorce, à l'annulation, à une pension alimentaire, au soutien financier, à l'entretien, à la garde des enfants, à l'accès, à la division de la propriété, à la propriété du foyer conjugal ou de son contenu, à une ordonnance restrictive ou à d'autres causes matrimoniales concernant* *(nom de la personne contre qui la revendication est faite)*

et moi-même, ou entre *(nom de la personne)*

et les personnes nommées comme bénéficiaires dans la présente réponse, à l'exception de: *(donner la date, le nom du tribunal, le numéro de dossier, la nature de la cause. En l'absence d'autres procédures judiciaires, écrire "Néant".)*

5. *(Nom de la personne contre qui est présentée la revendication)*

a donné son accord ou entente, verbalement ou par écrit, à l'égard de cette revendication.
(Préciser. S'il n'y a pas eu d'accord, écrire "Néant".)

Ne pas remplir cette page si vous ne présentez pas de revendication.

6. *Cette revendication se fonde sur les motifs suivants: (Préciser les motifs. Le cas échéant, ajouter une page qu'il faudra dater et signer.)*

Date *Signature*

Si vous réclamez un soutien financier ou la garde d'un enfant, il faudra joindre un état financier (formule 6) à cette formule.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice to Added Party

Form 10

Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

Added Party *If more than one added party, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

To .....
(*name of added party*)

A claim has been made against you in this court. The details are set out in the attached answer.

The court will hold a hearing at .....
(*street & number, municipality, postal code*)

on ..... at .....
(*date*) (*time*)

or as soon after that time as the case can be heard.

If you dispute the claim made against you in the answer, you must file a reply with the court at .....

.....
(*street & number, municipality, postal code*)

within ten days after receiving this notice.

If a financial statement in Form 6 is attached to this notice you must file your own financial statement in Form 6 with the court within ten days after receiving this notice.

If you fail to appear at the hearing, an order may be made in your absence and enforced against you.

....
Date Clerk of the court

NOTE: A copy of the application signed by the applicant and the answer signed by the respondent should be attached to this notice, along with a reply form for you to fill out and file with the court. If the application answer or reply form is missing, you should contact your lawyer or the court office.

If a financial statement in Form 6 is attached to this notice, you should receive a blank copy of the same form for you to fill out and file with the court. If the blank form is missing, you should contact your lawyer or the court office.

If you wish assistance in filling out the reply form, you may contact your own lawyer or the court office.

Documents may be filed with the court by mail.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis au mis en cause

Formule 10 | *N° de dossier de la cour :*

à _____

_____
adresse

Requérant(s)

Intimé(s)

Mis en cause *S'il y a plus d'une partie, indiquer les nom et adresse de chacune d'elles et les renseignements concernant leurs avocats*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

À *(nom de la tierce partie)*

Le tribunal a reçu une revendication contre vous. Vous en trouverez copie dans la réponse ci-jointe.

Le tribunal tiendra une audience à: (rue, numéro, municipalité, code postal)

le (date)

à (heure)

ou après cette date, dès que la cause pourra être entendue.

Si vous désirez contester la revendication contenue dans la réponse, vous devrez remplir et déposer une réplique chez le greffe du tribunal à (rue & numéro, municipalité, code postal)

dans les dix jours suivant la réception de cet avis.

Si un état financier (formule 6) est joint au présent avis, vous devrez aussi préparer votre propre état financier sur formule 6 et le remettre au tribunal dans les dix jours suivant la réception de cet avis.

En cas de non-comparution à l'audience, le tribunal pourra rendre une ordonnance contre vous en votre absence et la faire exécuter par voie légale.

_____ _____
Date *Signature*

REMARQUE: *Cet avis doit être accompagné d'un exemplaire de la demande signée par le requérant et de la réponse signée par l'intimé ainsi que d'une formule réplique à remplir et déposer auprès du tribunal. En cas d'absence de la demande, de la réponse ou de la réplique, veuillez contacter votre avocat ou le greffe du tribunal.*

Au cas où un état financier (formule 6) serait joint à cet avis, vous devriez recevoir une formule 6 à remplir et à déposer auprès du tribunal. En cas d'absence de cette formule, veuillez contacter votre avocat ou le greffe du tribunal.

Si vous le désirez, votre avocat ou le greffe du tribunal pourra vous aider à remplir la formule de réplique.

Les documents peuvent être expédiés au tribunal par la poste.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Reply by Added Party

Form 11 | Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

Added Party *If more than one added party, give name & address and lawyer details for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

I do not dispute the claims made in the following paragraphs of the application:

☐ paragraph 1, subparagraph(s) .....
☐ paragraph 2
☐ paragraph 3
☐ paragraph 4
☐ paragraph 5, subparagraph(s) .....
☐ paragraph 6, subparagraph(s) .....

I do not dispute the claims made in the following paragraphs of the answer:

☐ paragraph 3, subparagraph(s) .....
☐ paragraph 4
☐ paragraph 5
☐ paragraph 6 subparagraph(s) .....

I dispute the claims made in the following paragraphs of the answer for the following reasons: (*Give paragraph no. and grounds for dispute of that paragraph*)

I dispute the claims made in the following paragraphs of the application for the following reasons: (*Give paragraph no. and grounds for dispute of that paragraph*)

(*Attach an additional page if necessary, and date and sign it.*) ..... *Date* ..... *Signature*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Réplique d'une tierce partie

Formule 11 | *N° de dossier de la cour :*

à _____

_____
adresse

Requérant(s)

Intimé(s)

Mis en cause *S'il y a plus d'une partie, indiquer les nom et adresse de chacune d'elles et les renseignements concernant leurs avocats*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

Je ne conteste *pas les revendications formulées dans les paragraphes suivants de la demande:*

☐ *paragraphe 1, sous-paragraphe(s)* _____ ☐ *paragraphe 2* ☐ *paragraphe 3*

☐ *paragraphe 4* ☐ *paragraphe 5, sous-paragraphe(s)* _____ ☐ *paragraphe 6, sous-paragraphe(s)* _____

Je ne conteste pas *les revendications formulées dans les paragraphes suivants de la réponse:*

☐ *paragraphe 3, sous-paragraphe(s)* _____ ☐ *paragraphe 4* ☐ *paragraphe 5*

☐ *paragraphe 6, sous-paragraphe(s)* _____

Je conteste *les revendications formulées dans les paragraphes suivants de la demande pour les raisons suivantes:*
(préciser le n° de paragraphe et indiquer les motifs de la contestation)

Je conteste *les revendications formulées dans les paragraphes suivants de la réponse pour les raisons suivantes:*
(préciser le n° de paragraphe et indiquer les motifs de la contestation)

(Le cas échéant, joindre une page supplémentaire qui devra être datée et signée)

_____ _____
Date *Signature*

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Affidavit in Support of Motion

Form 12 | Court file no.

at .....

.....
(*address*)

Applicant(s) *If more than one applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one respondent, give name & address and lawyer details for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

I, ..., of the ..... of .....
name city, town, etc. name

in the ....., of ....., make oath and say (or affirm):
county, regional municipality, etc. name

This affidavit supports a motion for: (*Specify the order asked for in your notice of motion*)

The facts in support of this motion are: (*Give facts in support of motion. Where the facts are not within your own personal knowledge, give the source of your information or the grounds of your belief.*)

(*Put a line through any blank space left on this page*)

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Affidavit à l'appui d'une requête

Formule 12

N° de dossier de la cour :

à _____ _____

adresse

Requérant(s) *S'il y a plusieurs requérants, donner le nom, l'adresse et les renseignements concernant chacun d'eux*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

Intimé(s) *S'il y a plusieurs intimés, donner le nom, l'adresse et les renseignements concernant les avocats de chacun d'eux*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

Je soussigné(e) _____ , *de la* _____ , *de* _____
nom et prénom(s) *ville, municipalité* *nom*

dans le/la _____ , *de* _____ , ***affirme sous serment (ou affirme solennellement) que:***
comté, municipalité régionale, etc. *nom*

Le présent affidavit appuie la motion: (préciser l'ordonnance demandée dans votre avis de motion)

Les faits à l'appui de la présente motion sont: (indiquer ces faits. Si vous n'avez pas une connaissance directe des faits, donner la source de vos renseignements ou les motifs qui justifient vos renseignements.)

(Tracer une ligne à travers tout espace blanc sur cette page)

Assermenté (ou affirmé solennellement) devant moi au (à la) _____ *de* _____

dans le/la _____ *de* _____

ce _____ *jour de* _____ , *19* ____ .

_____
Un commissaire.

_____
Signature

(la présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Motion

Form 13 Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

To the Parties

A motion will be made in this proceeding for an order by the court: (*specify order asked for*)

The details are set out in the attached affidavit.

The court will hear this motion at .....
(*street & number, municipality, postal code*)

on ..... at .....
(*date*) (*time*)

or as soon after that time as the motion can be heard.

If you fail to appear at the hearing, an order may be made in your absence and enforced against you.

....
Date Clerk of the court

NOTE: A copy of the affidavit (Form 12) in support of this motion should be attached to this notice. If the affidavit is missing, you should contact your own lawyer or the court office.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis de requête

Formulaire 13 | *N° de dossier de la cour :* _____

à _____

_____ _____
adresse

Requérant(s)

Intimé(s)

Aux parties en cause:

Une motion sera présentée en la présente instance en vue d'obtenir du tribunal une ordonnance: (préciser l'ordonnance demandée)

Les détails figurent à l'affidavit ci-joint.

Le tribunal entendra cette motion au (numéro et rue, municipalité, code postal)

le (date)

à (heure)

ou après cette date, dès que la motion pourra être entendue.

Si vous ne comparaissez pas à l'audience, le tribunal pourra rendre une ordonnance contre vous en votre absence et la faire exécuter par voie légale.

_____ _____
Date *Greffier du tribunal*

REMARQUE: *Une copie de l'affidavit (formule 12) à l'appui de la motion doit être annexée au présent avis. En l'absence d'affidavit, vous devez communiquer avec votre avocat ou avec le greffe de la cour.*

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court (Provincial Division)

Summons to a Witness

Form 14 Court file no.

at .....

.....
(*address*)

Applicant(s) *If more than one applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one respondent, give name & address and lawyer details for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

Note: When this Summons is served on you, you should receive a witness fee of (total dollars)

which is calculated as follows:

attendance
$ for each day of attendance =

travel allowance
$ each way =

overnight allowance
$ =

Total =

This summons was issued on behalf of

To .....
(Full name of witness)

of .....
(address—street & number, municipality, postal code)

You are commanded to appear at .....
(address—street & number, municipality)

on .....
(date)

at .....
(time)

to remain until this proceeding is heard .....

to give evidence in this proceeding before the (court or other official) .....

and to bring with you the following:

....
Name Date Clerk of the court

If you failed to attend or to remain as required by this summons, a warrant may be issued for your arrest.

Loi sur les tribunaux judiciaires

Cour de l'Ontario (Division provinciale)

Assignation au témoin

Formule 14

N° de dossier de la cour :

à _____

_____
adresse

Requérant(s) *S'il y a plusieurs requérants, donner les noms, adresses et renseignements concernant chacun d'eux.*

Nom et prénom(s)	Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)	Domicile élu (rue & numéro, municipalité, code postal)
Avocat (nom, adresse, numéro de téléphone)	Avocat (nom, adresse, numéro de téléphone)

Intimé(s) *S'il y a plusieurs intimés, donner les noms, adresses et renseignements concernant les avocats de chacun d'eux.*

Nom et prénom(s)	Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)	Domicile élu (rue & numéro, municipalité, code postal)
Avocat (nom, adresse, numéro de téléphone)	Avocat (nom, adresse, numéro de téléphone)

Remarque: Lorsque cette citation à comparaître vous est signifiée, des indemnités, calculées sur la base suivante, devraient vous être versées:

comparution
$ par jour de comparution =

indemnité de voyage
$ par trajet =

indemnité de nuit
$ =

Total =

À l'intention de (nom et prénom du témoin)

domicilié au (adresse – numéro et rue, municipalité, code postal)

Il vous est ordonné de comparaître au (adresse – numéro et rue, municipalité)

le (jour)

à (heure)

d'assister à l'audience de cette affaire

de porter témoignage dans cette affaire devant (tribunal ou l'un de ses officiers)

et d'apporter avec vous les pièces suivantes:

Cette citation vous est signifiée au nom de:

Nom _____ Date _____ Greffier du tribunal _____

Si vous négligez de comparaître tel qu'il en est requis dans cette citation, un mandat d'arrêt peut être émis contre vous.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Order

Form 15 Court file no.

at .....

.....
(*address*)

Applicant(s) *If more than one applicant, give name and address for each.*

Judge

Date of Order

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one respondent, give name & address and lawyer details for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

On .....
(*motion or application*)

of .....
(*name*)

in the presence of .....
(*parties and solicitors in court*)

on reading the .....
(*list documents filed on motion or application*)

and on receiving evidence and hearing submissions on behalf of .....
(*name*)

This court orders that:

(*Put a line through any blank space left on this page.*)

....
Date of signature Signature of judge or clerk of the court.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Ordonnance

à _____

_____
adresse

Formule 15

N° de dossier de la cour

Juge

_____

Date de l'ordonnance

_____

Requérant(s) *S'il y a plusieurs requérants, donner le nom, l'adresse et les renseignements concernant chacun d'eux*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

Intimé(s) *S'il y a plusieurs intimés, donner le nom, l'adresse et les renseignements concernant les avocats de chacun d'eux.*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

Sur (requête ou demande)

de (nom)

en présence de (parties et avocats devant le tribunal)

après lecture de (indiquer les documents déposés lors de la motion ou de la requête)

et après avoir entendu les témoignages et les plaidoiries en faveur de

Ce tribunal ordonne que:

(Tirer une ligne sur tout espace laissé en blanc sur cette page.)

_____ _____

Date *Signature du juge ou du greffier du tribunal*

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court (Provincial Division)

Order on Motion Without Notice

Form 16 | Court file no.

at .....

.....
(*address*)

Applicant(s) *If more than one applicant, give name and address for each.*

Judge	Full name	Full name
Date of Order	Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
	Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

Respondent(s) *If more than one respondent, give name and address and lawyer details for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

On motion without notice to .....
(*name*)

in the presence of .....
(*parties and solicitors in court*)

on reading the .....
(*list documents filed on motion*)

and on receiving evidence and hearing submissions on behalf of .....
(*name*)

This court orders that:

....
Date of signature Signature of judge or clerk of the court

NOTICE to .....
(*name*)

The above order has been made without notice to you. You may request this court to vary or discharge the order by serving an affidavit and notice of motion on the other parties and filing it at the court office at .....

.....
(*street & number, municipality, postal code*)

within seven days after the order comes to your attention.

Loi sur les tribunaux judiciaires

Cour de l'Ontario
(Division provinciale)

Ontario

Ordonnance suite à une requête sans avis

à _____

_____
adresse

Formule 16

N° de dossier de la cour :

Juge

_____

Date de l'ordonnance

_____

Requérant(s) *S'il y a plusieurs requérants, donner le nom, l'adresse et les renseignements concernant chacun d'eux*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

Intimé(s) *S'il y a plusieurs intimés, donner le nom, l'adresse et les renseignements concernant les avocats de chacun d'eux*

Nom et prénom(s)	*Nom et prénom(s)*
Domicile élu (rue & numéro, municipalité, code postal)	*Domicile élu (rue & numéro, municipalité, code postal)*
Avocat (nom, adresse, numéro de téléphone)	*Avocat (nom, adresse, numéro de téléphone)*

Suite à une requête sans avis à (nom)

en présence de (parties et avocats devant le tribunal)

après lecture de (indiquer les documents déposés lors de la motion)

et après avoir entendu les témoignages et les plaidoiries en faveur de (nom)

ce tribunal ordonne que:

_____ _____
Date de la signature *Signature du juge ou du greffier de la cour*

AVIS *à (nom)*

L'ordonnance ci-dessus a été rendue sans que vous ayez été avisé. Vous pouvez demander au tribunal de modifier l'ordonnance ou d'en prononcer la mainlevée en signifiant un affidavit et un avis de motion aux autres parties et en déposant ce dernier au greffe de la cour au (rue et numéro, municipalité, code postal)

dans les sept jours de la date à laquelle l'ordonnance a été portée à votre attention.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Certificate of Clerk

Form 17 Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

I certify that:

(Strike out inapplicable provisions)

1. The attached copies of the application and the financial statement of the applicant(s) are true copies of the documents filed with the court in this proceeding.
2. The attached copy of the final/provisional order is a true copy of the final/provisional order made in this proceeding.
3. The attached transcript of evidence is an accurate representation of the evidence heard in this proceeding.
4. The attached copy of reasons is a true copy of the court's reason for decision in this proceeding.

....
Date Clerk of the court

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Certificat du greffier

Formule 17

N° de dossier de la cour :

à _____

_____
adresse

Requérant(s)

Intimé(s)

J'atteste que:

1. *Les copies ci-jointes de la requête et de l'état financier du (des) requérant(s) sont des copies conformes des documents déposés devant le tribunal lors de la présente procédure judiciaire.*

(Rayer les mentions inutiles)

2. *La copie ci-jointe de l'ordonnance finale provisionnelle est une copie conforme de l'ordonnance finale provisionnelle rendue lors de la présente procédure judiciaire.*

3. *La transcription des témoignages ci-jointe représente fidèlement les témoignages entendus lors de la présente procédure judiciaire.*

4. *La copie ci-jointe des attendus est une copie conforme des attendus de la décision du tribunal lors de la présente procédure judiciaire.*

_____ _____
Date *Greffier du tribunal*

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Confirmation Hearing

Form 18 | Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

To the Respondent(s)

☐ A provisional order

☐ A provisional variation of the order of the .....
(*name of confirming court*)

made on ..... has been made against you
(*date of confirmation*)

☐ in another part of Ontario

☐ outside Ontario

in the amount of $..... per .....
(in Canadian funds) (week, month etc.)

The details are set out in the attached materials.

The court will hold a hearing at .....
(*street & number, municipality, postal code*)

on ..... at .....
(*date*) (*time*)

or as soon after that time as the case can be heard, in which you may show cause why this provisional order/variation should not be confirmed against you.

You must file a financial statement in Form 6 with the court office at.....

.....
(*street & number, municipality, postal code*)

within ten days after receiving this notice.

If you fail to appear at the hearing, the provisional order/variation may be confirmed in your absence and enforced against you.

....
Date Clerk of the court

NOTE: *If the provisional order/variation was made in another part of Ontario,* a copy of the application signed by the applicant should be attached to this notice, along with a copy of the applicant's financial statement, a copy of the provisional order/order of provisional variation and a copy of the transcript of the applicant's evidence.

Also attached to this notice should be a blank financial statement in Form 6 for you to fill out and file with the court office. If any document which should be attached to this notice is missing, you should contact your own lawyer or the court office.

Documents may be filed with the court by mail.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis d'audience de confirmation

Formule 18 N° de dossier de la cour :

à _____

_____
adresse

Requérant(s)

Intimé(s)

À l'intimé (aux intimés)

☐ Une ordonnance provisoire
☐ Une modification provisoire de l'ordonnance rendue par (désignation de la cour qui a prononcé la confirmation)
le (date de la confirmation)
a été rendue contre vous
☐ dans une autre région de l'Ontario
☐ à l'extérieur de l'Ontario
aux termes de laquelle vous êtes tenu de verser une somme de _____ $ par _____
(en monnaie canadienne) (semaine, mois, etc.)

Les détails figurent sur le document ci-joint.

La cour tiendra une audience au (numéro, rue, municipalité, code postal)

le (date) à (heure)

ou après cette date, dès que la cause pourra être entendue. Au cours de cette audience, vous pouvez exposer les raisons selon lesquelles la présente ordonnance ou l'ordonnance modifiée ne devrait pas être confirmée contre vous.

Dans les dix jours qui suivent la date de réception du présent avis, vous devez déposer un état financier sur la formule 6, au greffe de la cour au (numéro, rue, municipalité, code postal)

Si vous ne comparaissez pas à l'audience, l'ordonnance (la modification) provisoire pourra être confirmée en votre absence et rendue exécutoire contre vous.

_____ _____
Date Le greffier de la cour

REMARQUE: Si l'ordonnance (la modification) provisoire a été rendue dans une autre région de l'Ontario, une copie de la demande signée par le requérant doit être jointe au présent avis, de même qu'une copie de l'état financier du requérant, une copie de l'ordonnance provisoire (ou de l'ordonnance de modification provisoire) et une copie de la transcription des dépositions du requérant.

Il sera également joint au présent avis un état financier en blanc sur la formule 6 que vous devez remplir et déposer au greffe de la cour. S'il manque l'un ou l'autre des documents qui doivent être joints au présent avis, avertissez votre avocat ou le greffe de la cour.

Le dépôt des documents requis peut se faire par voie postale.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Hearing for Further Evidence

Form 19 Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

To the Applicant(s)

☐ The provisional order in this matter has come before a judge of the .....
(*name of confirming court*)

☐ The provisional variation of the order made by the .....
(*name of confirming court*)

on .....
(*date of confirmation*)

has come before a judge of the .....
(*name of court*)

☐ The respondent has applied to the .....
(*name of court*)

for a variation of the order of the .....
(*name of confirming court*)

made on .....
(*date of confirmation*)

The other court has decided to offer you an opportunity to present further evidence and has therefore remitted its case to this court. The details are set out in the attached material.

If you wish to:

☐ proceed with your application for support

☐ proceed with your application for variation of support

☐ oppose, in whole or in part, the respondent's request for variation,

you must appear, either personally or by your lawyer or agent, and produce such evidence as is appropriate at .....

..... on ..... at .....
(*street & number, municipality, postal code*) (*date*) (*time*)

If you fail to appear at the hearing

☐ **the provisional order/variation may be rescinded in your absence**

☐ **the respondent's request for variation may proceed unopposed**

....
Date Clerk of the court

NOTE: A copy of the respondent's evidence and a copy of the court's reasons for seeking further evidence should be attached to this Notice. If either of these is missing, you should contact your own lawyer or the court office at (*street & number, municipality, postal code*)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis d'audience pour complément d'information

Formule 19

N° de dossier de la cour :

à _____

_____
adresse

Requérant(s)

Intimé(s)

Au(x) requérant(s)

☐ *L'ordonnance provisoire en l'espèce a été soumise à un juge de (désignation de la cour prononçant la confirmation)*

☐ *La modification provisoire de l'ordonnance rendue par (désignation de la cour prononçant la confirmation)*

le (date de la confirmation) *a été soumise à un juge de (désignation de la cour saisie)*

☐ *L'intimé a demandé à (désignation de la cour saisie)*

de modifier l'ordonnance rendue par (désignation de la cour prononçant la confirmation)

le (date de la confirmation)

La cour saisie de l'affaire, ayant décidé de vous accorder la possibilité de présenter une preuve supplémentaire, a renvoyé le dossier devant cette cour. Tous les détails figurent au document ci-joint.

Si vous désirez:

☐ *donner suite à votre demande de pension alimentaire*
☐ *donner suite à votre demande de modification de la pension alimentaire*
☐ *contester en tout ou en partie la demande de modification de l'intimé*

vous devez comparaître, en personne ou par l'intermédiaire de votre avocat ou représentant, et présenter la preuve nécessaire au (numéro, rue, municipalité, code postal)

le (date) *à (heure)*

Si vous ne comparaissez pas à cette audience

☐ ***l'ordonnance/la modification provisoire peut être infirmée en votre absence***
☐ ***la demande de modification introduite par l'intimé peut être instruite par défaut.***

_____ _____
Date *Le greffier de la cour*

REMARQUE: *Une copie des déclarations de l'intimé et des motifs invoqués par la cour pour rechercher une preuve supplémentaire doit être jointe au présent avis. S'il manque l'une ou l'autre, avertissez votre avocat ou le greffe de la cour au (numéro, rue, municipalité, code postal).*

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Resumption of Hearing

Form 20 Court file no.

at .....

.....
(*address*)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

To the Respondent(s)

The proceeding before this court

☐ to confirm a provisional order/variation made by the .....
(*name of originating court*)

on .....
(*date of provisional order/variation*)

☐ to review an order made by the .....
(*name of confirming court*)

on .....
(*date of confirmation*)

was adjourned on .....
(*date of adjournment*)

in order to remit the case to the other court for further evidence.

The other court has now sent to this court certain evidence which is attached.

This court will resume its hearing into this matter at .....
(*street & number, municipality, postal code*)

on ..... at .....
(*date*) (*time*)

or as soon after that time as the case can be heard.

If you fail to appear at the hearing,

☐ **the provisional order/variation may be confirmed in your absence and enforced against you.**

☐ **your application for variation may be dismissed.**

....
Date Clerk of the court

NOTE: A copy of the applicant's further evidence taken before the other court should be attached to this notice. If it is missing, you should contact your lawyer or the court office at .....

.....
(*street & number, municipality, postal code*)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis de reprise d'audience

Formule 20 N° de dossier de la cour :

à _____

_____

adresse

Requérant(s)

Intimé(s)

À l'intimé (aux intimés)

La procédure intentée devant cette cour

☐ *en vue de la confirmation d'une ordonnance/modification provisoire rendue par (désignation de la cour d'où provient l'ordonnance)*

le (date de l'ordonnance/modification provisoire)

☐ *en vue de la révision d'une ordonnance rendue par (désignation de la cour prononçant la confirmation)*

le (date de la confirmation)

a été ajournée le (date de l'ajournement)

aux fins de preuve supplémentaire devant l'autre tribunal.

L'autre tribunal ayant fait parvenir à cette cour la preuve ci-jointe,

cette cour reprendra l'audience de l'affaire en instance au (numéro, rue, municipalité, code postal)

le (date) *à (heure)*

ou après cette date dès que la cause pourra être entendue.

Si vous ne comparaissez pas à l'audience

☐ *l'ordonnance/la modification provisoire pourra être confirmée en votre absence et rendue exécutoire contre vous.*

☐ *votre demande de modification pourra être rejetée.*

_____ _____

Date *Le greffier de la cour*

REMARQUE: *Une copie de la preuve supplémentaire du requérant devant l'autre tribunal doit être jointe au présent avis. Faute de quoi, avertissez votre avocat ou le greffe de la cour au (numéro, rue, municipalité, code postal).*

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court (Provincial Division)

Summons to Give Evidence for an Extra-Provincial Tribunal

Form 21 | Court file no.

at .....

.....
(*address*)

Applicant(s) *If more than one applicant, give name and address for each.*

Full name	Full name
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one respondent, give name & address and lawyer details for each.*

Full name	Full name
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

Note: When this Summons is served on you, you should receive a witness fee which is calculated as follows:

attendance
$ for each day of attendance =

travel allowance
$ each way =

overnight allowance
$ =

Total =

To .....
(Full name)

of .....
(address—street & number, municipality, postal code)

You are commanded to appear at .....

.....
(address—street & number, municipality, postal code)

on .....
(date)

at .....
(time)

☐ to give oral evidence in accordance with the request of .....

.....
(*name of extra-provincial tribunal*)

☐ to bring with you the following documents or things requested by .....

.....
(*name of extra-provincial tribunal*)

(*List documents or things to be brought.*)

A copy of the request is served with this summons.

This summons was issued on behalf of the Reciprocity Office, Ministry of the Attorney General

....
Date Clerk of the court

If you fail to attend or to remain as required by this summons, a warrant may be issued for your arrest.

Loi sur les tribunaux judiciaires

Cour de l'Ontario (Division provinciale)

Citation pour témoigner auprès d'un tribunal extra-provincial

Formule 21

N° de dossier de la cour :

à _____

_____
adresse

Requérant(s) *S'il y en a plusieurs, donner le nom et les renseignements concernant chacun d'eux.*

Nom et prénom(s)	Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)	Domicile élu (rue & numéro, municipalité, code postal)
Avocat (nom, adresse, numéro de téléphone)	Avocat (nom, adresse, numéro de téléphone)

Intimé(s) *S'il y en a plusieurs, donner le nom et les renseignements concernant l'avocat de chacun d'eux.*

Nom et prénom(s)	Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)	Domicile élu (rue & numéro, municipalité, code postal)
Avocat (nom, adresse, numéro de téléphone)	Avocat (nom, adresse, numéro de téléphone)

Remarque: *À la réception de la présente assignation, vous devriez recevoir une rétribution de témoin calculée comme suit:*

présence
$ pour chaque jour de présence =

indemnité de déplacement
$ chaque parcours =

indemnité de logement
$ =

Total =

Cette citation est émise pour le Bureau de réciprocité Ministère du Procureur général

À: *(nom et prénom(s) du témoin)*

de (adresse – rue & numéro, municipalité, code postal)

Nous vous ordonnons de comparaître à: *(adresse – rue & numéro, municipalité)*

le (date)

à (heure)

☐ *pour témoigner selon la demande de (nom du tribunal extra-provincial)*

☐ *pour apporter avec vous les documents ou objets suivants, selon la demande de (nom du tribunal extra-provincial)*

(énumérer les documents ou objets à apporter)

Une copie de la demande est signifiée avec la citation.

Nom de la partie _____ Date _____ Greffier du tribunal _____

À défaut de comparaître ou de demeurer présent conformément à la présente assignation, le tribunal pourra décerner un mandat d'arrestation contre vous.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Registration

Form 22 | Court file no.

at .....

.....
(*address*)

Claimant(s) *If more than one applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one respondent, give name & address and lawyer details for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

A certified copy of a final order issued out of the .....
(*name of reciprocating court*)

of the .....
(*name of reciprocating state*)

dated ....., a copy of which is attached, was filed with this court on (*date*)

If you dispute the registration of this order, you are required to make a motion to this court to set aside the registration within one month after receiving this notice.

Delete if not applicable If you fail to do so, you must appear on the hearing date shown on the attached notice of default (form 61).

....
Date of signature Clerk of the court

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis d'enregistrement

à _____ **Formule 22** N° de dossier de la cour :

_____
adresse

Requérant(s) *S'il y a plusieurs requérants, indiquer le nom et l'adresse de chacun*

Nom et prénoms	Nom et prénoms
Domicile élu (rue et numéro, municipalité, code postal)	Domicile élu (rue et numéro, municipalité, code postal)
Avocat (nom, adresse et numéro de téléphone)	Avocat (nom, adresse et numéro de téléphone)

Intimé(s) *S'il y a plusieurs intimés, indiquer le nom et l'adresse de chacun et les renseignements concernant leurs avocats*

Nom et prénoms	Nom et prénoms
Domicile élu (rue et numéro, municipalité, code postal)	Domicile élu (rue et numéro, municipalité, code postal)
Avocat (nom, adresse et numéro de téléphone)	Avocat (nom, adresse et numéro de téléphone)

Une copie certifiée conforme d'une ordonnance définitive rendue par (nom du tribunal d'exécution réciproque)

du (nom de l'État ayant conclu un accord de réciprocité)

en date du , dont copie est annexée à la présente, a été déposée auprès de cette cour le (date)

Si vous contestez l'enregistrement de cette ordonnance, vous êtes requis de demander au tribunal, par voie de motion, l'annulation de l'enregistrement dans le mois qui suit la réception du présent avis.

(biffer les mentions inutiles) *Si vous ne prenez pas cette mesure, vous êtes tenu de vous présenter à la date d'audience indiquée à l'avis de défaut ci-joint (Formule 61)*

_____ _____
Date de la signature *Greffier de la cour*

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Application – General
Child and Family Services

Form 23 | Court file no.

at .....

.....
(*address*)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

I/We ask for an order under the *Child and Family Services Act*: (*set out kind of order asked for*)

The grounds for this application are as follows: (*state briefly the main facts relied on*)

....
Date Signature of applicant(s)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Requête—Générale

Services à l'enfance et à la famille

Formule 23

N° de dossier de la cour :

à _____

_____

adresse

Enfant(s)

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Avocat (nom, adresse et n° de téléphone)		

Requérant(s)

Nom(s) et prénom(s)
Domicile élu (numéro et rue, municipalité, code postal)
Avocat (nom, adresse et n° de téléphone)

Je demande (nous demandons) *qu'une ordonnance soit rendue aux termes de la Loi sur les services à l'enfance et à la famille:*
(indiquer le genre d'ordonnance demandée)

Les motifs *de cette requête sont les suivants: (indiquer brièvement les principaux faits sur lesquels vous vous fondez)*

_____ _____

Date *Signature du (des) requérant(s)*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Protection Application
Child and Family Services

Form 24 | Court file no.

at .....

.....
(*address*)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

The Children's Aid Society asks for a finding under the *Child and Family Services Act*, that the child(ren) named above is/are in need of protection because:

Check applicable box(es). Delete grounds not relied on in box(es) checked.

☐ *the child has suffered physical harm, inflicted by the person having charge of the child or caused by that person's failure to care and provide for or supervise and protect the child adequately;*

☐ *there is a substantial risk that the child will suffer physical harm inflicted by the person having charge of the child or caused by that person's failure to care and provide for or supervise and protect the child adequately;*

☐ *the child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;*

☐ *there is substantial risk that the child will be sexually molested or sexually exploited by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;*

☐ *the child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to the treatment;*

☐ *the child has suffered emotional harm, demonstrated by severe anxiety, depression, withdrawal, or self destructive or aggressive behaviour and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm;*

☐ *there is a substantial risk that the child will suffer emotional harm demonstrated by severe anxiety, depression, withdrawal, or self destructive or aggressive behaviour and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm;*

☐ *the child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition;*

☐ *the child has been abandoned;*

☐ *the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody;*

☐ *the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody;*

☐ *the child is less than twelve years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment;*

☐ *the child is less than twelve years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately; or*

☐ *the child's parent is unable to care for the child and the child is brought before the court with the parent's consent and, where the child is twelve years of age or older, with the child's consent, to be dealt with under this Part.*

The applicant further asks for an order (*check one only*)

<table>
<tr><td>☐ that the children be placed with (*name*)</td><td>☐ that the children be made ward(s) of the (*name of society*)</td><td>☐ that the child(ren) be made a ward(s) of the Crown and placed in the care of the (*name of society*)</td></tr>
<tr><td>subject to the supervision of the (*name of society*)</td><td>for a period of
months</td><td rowspan="8">☐ other (*specify*)</td></tr>
<tr><td>for a period of
months</td><td>☐ that the child(ren) be made ward(s) of the (*name of society*)</td></tr>
<tr><td rowspan="6">with the following terms and conditions (*specify*)</td><td>for a period of
months</td></tr>
<tr><td>and then returned to (*name*)</td></tr>
<tr><td>subject to the supervision of (*name of society*)</td></tr>
<tr><td>for a period of
months</td></tr>
<tr><td>with the following terms and conditions: (*specify*)</td></tr>
</table>

The applicant further asks for an order

☐ relating to access: (*Specify details. Include restraining order if applicable*)	☐ relating to payment of support while the child(ren) is/are in care (*Specify details*)

To the best of the applicant's knowledge, the following are all the outstanding orders and court proceedings for supervision, wardship or custody of or access to the child(ren).
(*Give date, name of court, court file no., nature of case and resulting order. If you do not know of any other order or proceedings, state "None".*)

The following is a brief statement of the facts relied on:

....
Date Signature

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Demande de protection

Services à l'enfance et à la famille

Formule 24

N° de dossier de la cour :

à _____

_____

adresse

Enfant(s)

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*

Avocat (nom, adresse et n° de téléphone)

Requérant(s)

Nom(s) et prénom(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

La Société d'aide à l'enfance désire faire déclarer, *aux termes de la Loi sur les services à l'enfance et à la famille, que l'enfant (les enfants) nommé(s) ci-dessus a(ont) besoin de protection pour les raisons suivantes:*
Cocher la(les) case(s) applicable(s). Biffer, dans la(les) case(s) cochée(s), les motifs non pertinents.

☐ *l'enfant a subi des maux physiques infligés par la personne qui en est responsable ou causés par le défaut de cette personne de lui fournir des soins, de subvenir à ses besoins, de le surveiller et de le protéger convenablement;*

☐ *l'enfant risque fortement de subir des maux physiques infligés par la personne qui en est responsable ou causés par le défaut de cette personne de lui fournir des soins, de subvenir à ses besoins, de le surveiller et de le protéger convenablement;*

☐ *l'enfant a subi une atteinte aux moeurs ou a été exploité sexuellement par la personne qui en est responsable ou par une autre personne et la personne qui en est responsable sait ou devrait savoir qu'il existe des dangers d'atteinte aux moeurs ou d'exploitation sexuelle et elle ne protège pas l'enfant;*

☐ *l'enfant risque fortement de subir une atteinte aux moeurs ou d'être exploité sexuellement par la personne qui en est responsable ou en raison du défaut de cette personne de lui fournir des soins, de subvenir à ses besoins, de le surveiller et de le protéger convenablement;*

☐ *l'enfant a besoin d'un traitement médical en vue de guérir, de prévenir ou de soulager des maux physiques ou sa douleur, et son père ou sa mère ou la personne qui en est responsable ne fournit pas le traitement, refuse ou n'est pas en mesure de donner son consentement à ce traitement, ou n'est pas disponible pour ce faire;*

☐ *l'enfant a subi des maux affectifs qui se traduisent par, selon le cas, un sentiment important d'angoisse, un grand état dépressif, un repliement considérable sur soi, un comportement très autodestructeur ou agressif, et son père ou sa mère ou la personne qui en est responsable ne fournit pas de services ou de traitement afin de remédier à ces maux ou de les soulager, refuse ou n'est pas en mesure de donner son consentement, ou n'est pas disponible pour ce faire;*

☐ *l'enfant risque fortement de subir des maux affectifs se traduisant, selon les cas, par un sentiment important d'angoisse, un grand état dépressif, un repliement considérable sur soi, un comportement très autodestructeur ou agressif, et son père ou sa mère ou la personne qui en est responsable ne fournit pas de services ou de traitement afin de prévenir ces maux, refuse ou n'est pas en mesure de donner son consentement à ce traitement ou à ces services, ou n'est pas disponible pour ce faire;*

☐ *l'enfant est dans un état mental, affectif ou de développement qui risque, s'il n'y est pas remédié, de porter gravement atteinte à son développement, si son père ou sa mère ou la personne qui en est responsable ne fournit pas un traitement afin de remédier à cet état ou de le soulager, refuse ou n'est pas en mesure de donner son consentement à ce traitement, ou n'est pas disponible pour ce faire;*

☐ *l'enfant a été abandonné;*

☐ *le père ou la mère de l'enfant est décédé ou ne peut pas exercer ses droits de garde sur l'enfant et n'a pas pris de mesures suffisantes relativement à la garde de l'enfant et aux soins à lui fournir;*

☐ *l'enfant est placé dans un établissement et son père ou sa mère refuse d'en assumer à nouveau la garde et de lui fournir des soins, n'est pas en mesure de le faire ou n'y consent pas;*

☐ *l'enfant a moins de douze ans et a tué ou gravement blessé une autre personne ou a causé des dommages importants aux biens d'une autre personne et doit subir un traitement ou recevoir des services pour empêcher la répétition de ces actes, et son père ou sa mère ou la personne qui en est responsable ne fournit pas ce traitement ou ces services, refuse ou n'est pas en mesure de donner son consentement à ce traitement ou ces services, ou n'est pas disponible pour ce faire;*

☐ *l'enfant a moins de douze ans et a à plusieurs reprises, blessé une autre personne ou causé une perte ou des dommages aux biens d'une autre personne, avec l'encouragement de la personne qui en est responsable ou en raison du défaut ou de l'incapacité de cette personne de surveiller l'enfant convenablement;*

☐ *le père ou la mère de l'enfant n'est pas en mesure de lui fournir des soins et l'enfant est amené devant le tribunal avec le consentement de son père ou de sa mère, et, si l'enfant est âgé de douze ans ou plus, avec son consentement, afin d'être traité conformément à la présente partie.*

De plus, le requérant sollicite *une ordonnance en vertu de laquelle (ne cocher qu'une seule case)*

☐ *l'enfant (les enfants) sera (seront) confié(s) à (nom)*

et soumis à la surveillance de (nom de la société)

pendant une période de

mois

aux conditions suivantes: (préciser)

☐ *l'enfant (les enfants) sera (seront) constitué(s) pupille(s) de (nom de la société)*

pendant une période de

mois

☐ *l'enfant (les enfants) sera (seront) constitué(s) pupille(s) de (nom de la société)*

pendant une période de

mois

et ensuite rendu(s) à (nom)

et soumis à la surveillance de (nom de la société)

pendant une période de

mois

aux conditions suivantes: (préciser)

☐ *l'enfant (les enfants) sera (seront) constitué(s) pupille(s) de la Couronne et confié(s) aux soins de (nom de la société)*

☐ *autre (préciser)*

Le requérant sollicite de plus *une ordonnance*

☐ *relative au droit de visite: (Donner les détails. Demander une ordonnance de ne pas faire, si applicable)*

☐ *relative au paiement des sommes permettant de subvenir aux besoins de l'enfant (des enfants) pendant qu'il(s) reçoit (reçoivent) des soins. (Donner les détails)*

Au mieux de la connaissance du requérant, toutes les ordonnances existantes et toutes les instances concernant la surveillance, la tutelle ou la garde de l'enfant (des enfants), ou le droit de visite, sont énumérées ci-dessous: (Indiquer la date, le nom du tribunal, le nº du dossier de la cour, la nature de l'affaire et l'ordonnance à laquelle elle a donné lieu. Si vous n'avez connaissance ni d'autre ordonnance, ni d'autre instance, indiquer "aucune".)

Bref énoncé des faits sur lesquels vous vous fondez:

Date Signature

O. Reg. 570/85, s. 14, *part, revised*

Courts of Justice Act

Ontario Court
(Provincial Division)

Status Review Application
Child and Family Services

Form 25 | Court file no.

at .....

.....
(*address*)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex	Present status
Full name	Birthdate (*d, m, y*)	Sex	Present status
Full name	Birthdate (*d, m, y*)	Sex	Present status
Lawyer (*name, address and telephone no.*)			

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

1. The applicant asks for an order under the *Child and Family Services Act*:

☐ that the child(ren) be placed with ..... subject to the
(name)

supervision of ..... for a period of
(name of society)

..... months with the following terms and conditons:

☐ that the child(ren) be made ward(s) of the .....
(name of society)

for a period of ..... months.

☐ that the child(ren) be made ward(s) of the .....
(name of society)

for a period of ..... months, and then returned to .....
(name)

subject to the supervision of .....
(name of society)

for a period of ..... months with the following terms and conditions:

☐ that the child(ren) be made a ward(s) of the Crown and placed in the care of .....
(name of society)

☐ other (*specify*)

2. The applicant further asks for an order (*check as applicable*)

☐ relating to access: (*specify details*)

☐ relating to payment of support while the child(ren) is(are) in care: (*specify details*)

3. The applicant has requested a review of the child(ren)'s status because: (*state briefly the main facts relied on*)

4. To the best of the applicant's knowledge, the following are all the outstanding orders and court proceedings for supervision, wardship or custody of or access to the child(ren): (*Give date, name of court, court file no., nature of case and resulting order. If you do not know of any other order proceedings, state "None"*)

....

Date of signature Signature of applicant

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Requête en révision de statut

Services à l'enfance et à la famille

Formule 25

N° de dossier de la cour :

à _____

_____
adresse

Enfant(s)

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*	*Statut actuel*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*	*Statut actuel*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*	*Statut actuel*

Avocat (nom, adresse et n° de téléphone)

Requérant(s)

Nom(s) et prénom(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

1. *Le requérant sollicite une ordonnance aux termes de la Loi sur les services à l'enfance et à la famille, en vertu de laquelle:*

☐ *l'enfant (les enfants) sera (seront) confié(s) à* _____ *et soumis à la surveillance de*
(nom)

_____ *pendant une période de* _____ *mois, aux conditions suivantes:*
(nom de la société)

☐ *l'enfant (les enfants) sera (seront) constitué(s) pupille(s) de* _____ *pendant une*
(nom de la société)

période de _____ *mois.*

☐ *l'enfant (les enfants) sera (seront) constitué(s) pupille(s) de* _____ *pendant une*
(nom de la société)

période de _____ *mois, ensuite retourné(s) à* _____ *et soumis à la surveillance de*
(nom)

_____ *pendant une période de* _____ *mois, aux conditions suivantes:*
(nom de la société)

☐ *l'enfant (les enfants) sera (seront) constitué(s) pupille(s) de la Couronne et confié(s) aux soins de*

_____
(nom de la société)

☐ *autre (préciser)*

2. *De plus, le requérant sollicite une ordonnance (cocher la case appropriée)*

☐ *relative au droit de visite: (donner les détails)*

☐ *relative au paiement des sommes nécessaires pour subvenir aux besoins de l'enfant (des enfants) pendant qu'il(s) est (sont) confié(s) aux soins de: (donner les détails)*

3. *Le requérant a présenté une requête en révision du statut de l'enfant (des enfants) pour les raisons suivantes: (énoncer brièvement les principaux faits sur lesquels vous vous fondez)*

4. *Au mieux de la connaissance du requérant, toutes les ordonnances existantes et toutes les instances concernant la surveillance, la tutelle ou la garde de l'enfant (des enfants), ou le droit de visite, sont énumérées ci-dessous: (indiquer la date, le nom du tribunal, le nº du dossier de la cour, la nature de l'affaire et l'ordonnance à laquelle elle a donné lieu. Si vous n'avez connaissance ni d'autre ordonnance, ni d'autre instance, indiquer "aucune").*

Date de la signature *Signature du requérant*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Application for Adoption
Child and Family Services

Form 26 | Court file no.

at .....

.....
(*address*)

Child

Full name	Birthdate (*d, m, y*)	Sex
Place of birth		
Lawyer (*name, address and telephone no.*)		

Note: A joint application may only be made when the applicants are spouses within the meaning of Parts I and II of the Human Rights Code.

Applicant(s)

Full name(s)	Birthdate (*d, m, y*)	Sex
Full name(s)	Birthdate (*d, m, y*)	Sex
Address for service (*street & number, municipality, postal code*)		
Lawyer (*name, address and telephone no.*)		

I/We ask for an order under the *Child and Family Services Act*, for the adoption of the child named above.
Complete this section if an applicant is under eighteen years of age.

The special circumstances that justify the making of an adoption order in this case are as follows: (*specify*)

I/We wish the name of the child after adoption to be (*specify*)

....
Date Signature of applicant

.....
Signature of applicant

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Requête en adoption

Services à l'enfance et à la famille

Formule 26

N° de dossier de la cour :

à _____

_____

adresse

Enfant

Nom et prénoms	Date de naissance (j, m, a)	Sexe
Lieu de naissance		
Avocat (nom, adresse et n° de téléphone)		

Remarque: Une requête conjointe ne peut être présentée que si les requérants sont conjoints au sens des parties I et II du Code des droits de la personne.

Requérant(s)

Nom(s) et prénom(s)	Date de naissance (j, m, a)	Sexe
Nom(s) et prénom(s)	Date de naissance (j, m, a)	Sexe
Domicile élu (numéro et rue, municipalité, code postal)		
Avocat (nom, adresse et numéro de téléphone)		

Je (nous) demande (demandons) qu'une ordonnance d'adoption de l'enfant nommé ci-dessus soit rendue aux termes de la Loi sur les services à l'enfance et à la famille.

Remplir cette section si le requérant est âgé de moins de dix-huit ans.

Les circonstances particulières qui justifient qu'une ordonnance d'adoption soit rendue dans la présente cause sont les suivantes: (préciser)

Je (nous) désire (désirons) qu'après l'adoption, l'enfant s'appelle (indiquer le nom)

_____ _____

Date Signature du requérant

_____

Signature du requérant

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Secure Treatment Application/
Extension Application
Child and Family Services

Form 27 | Court file no.

at .....

.....
(*address*)

Child

Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name	Birthdate (*d, m, y*)	Sex
Address for service (*street & number, municipality, postal code*)		
Lawyer (*name, address and telephone no.*)		

I/We am/are

Complete if child is less than 16 years of age

☐ am a parent of the child (See C.F.S.A. section 3 (2))

☐ a person other than the person in charge of the secure treatment program who is caring for the child

☐ a duly authorized officer of the Children's Aid Society that has custody of the child under an order under Part III (Child Protection) of the *Child and Family Services Act*

Complete if child is 16 years of age or more

☐ the child

☐ the child's parent

☐ a physician

Complete for extension applications only

☐ the person in charge of the secure treatment program located at .....
name and address of program

I/We ask for an order under Part VI of the *Child and Family Services Act*

☐ committing the child

☐ extending the commitment of the child

to a secure treatment program at .....
name and address of program

The grounds for this application are as follows: (*State briefly main facts relied on with specific reference to the criteria for commitment in subsection 117 (1) (criteria for commitment) and 120 (5) (criteria for extension) of the Act.) Use additional pages as required.*

....

Date of signature Signature of applicant(s)

Consent of person in charge of secure treatment program

I consent to this application to the court for an order for the child's commitment to the secure treatment program named above.

....

Date of signature Signature of person in charge of secure treatment program

Consent of Minister
(To be completed if child less than twelve years of age (see C.F.S.A. section 117 (2))

I consent to this child's commitment to the secure treatment program located at

.....

name and address of program

....

Date of signature Signature of Minister or delegate

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Requête pour obtenir un traitement en milieu fermé/ Requête en prorogation de placement

Services à l'enfance et à la famille

Formule 27

N° de dossier de la cour :

à _____

_____

adresse

Enfant

Nom et prénom(s) | *Date de naissance (j, m, a)* | *Sexe*

Avocat (nom, adresse et numéro de téléphone)

Requérant(s)

Nom(s) et prénom(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

Remplir si l'enfant a moins de seize ans

Je suis/Nous sommes

☐ *le père ou la mère de l'enfant (voir le paragraphe 3(2) de la L.S.E.F.)*

☐ *une personne qui s'occupe de l'enfant, à l'exception du responsable d'un programme de traitement en milieu fermé*

☐ *un dirigeant dûment autorisé de la Société d'aide à l'enfance qui a la garde de l'enfant aux termes d'une ordonnance rendue en vertu de la partie III (Protection de l'enfance) de la Loi sur les services à l'enfance et à la famille*

Remplir si l'enfant a seize ans ou plus

☐ *l'enfant*

☐ *le père ou la mère de l'enfant*

☐ *un médecin*

Remplir seulement en cas de requête en prorogation de placement

☐ *responsable du programme de traitement en milieu fermé offert au* _____

nom et adresse du programme

Je demande/Nous demandons que soit rendue en vertu de la partie VI de la Loi sur les services à l'enfance et à la famille une ordonnance

☐ *de placement de l'enfant*

☐ *de prorogation du placement de l'enfant*

dans un programme de traitement en milieu fermé offert au _____

nom et adresse du programme

La présente requête se fonde sur les motifs suivants: (Énoncer brièvement les faits principaux visant particulièrement les facteurs relatifs au placement prévus au paragraphe 117(1) et ceux relatifs à la prorogation au paragraphe 120(5) de la Loi.)
Annexer des pages additionnelles au besoin.

_____ _____
Date de la signature *Signature du(des) requérant(s)*

Consentement du responsable du programme de traitement en milieu fermé

Je consens à la présente requête demandant au tribunal d'ordonner le placement de l'enfant dans le programme de traitement en milieu fermé désigné plus haut.

_____ _____
Date de la signature *Signature du responsable du programme de traitement en milieu fermé*

Consentement du ministre
(Remplir si l'enfant a moins de douze ans (voir le paragraphe 117(2) de la L.S.E.F.)

Je consens au placement de l'enfant dans le programme de traitement en milieu fermé offert au

_____
nom et adresse du programme

_____ _____
Date de la signature *Signature du ministre ou de son délégué*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Consent (General)
(Secure Treatment)
Child and Family Services

Form 28 | Court file no.

at .....

.....
(*address*)

Child

Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

To be completed if applicant is a person other than the person in charge of the secure treatment program who is caring for the child, and the child is less than 16 years of age.

I/we am/are the parent(s) of the child named in this application .....

I/we consent to this application made by

.....
Name of person (other than the person in charge of the secure treatment program) who is caring for the child

to the court for an order for my/our child's commitment to the secure treatment program at .....

.....
name and address of program

Dated at ..... this ..... day of ....., 19.....

....
Signature of witness *Signature of parent*

....
Signature of witness *Signature of parent*

To be completed if applicant is the parent and the child is 16 years of age or more

I am the child named in this application .....

I consent to this application made by my parent(s) to the court for an order for my commitment to the secure treatment program at .....

.....
name and address of program

Dated at ..... this ..... day of ....., 19.....

....
Signature of witness *Signature of child*

To be completed for extension applications only, where applicant is the person in charge of the secure treatment program.

I/we am/are the parent(s) of the child named in this application .....

I/we consent to this application to the court for an order extending my/our child's commitment to the secure treatment program.

....
Signature of witness *Signature of parent*

....
Signature of witness *Signature of parent*

To be completed for extension applications only, where applicant is person in charge of the secure treatment program and the child is in the lawful custody of a society.

The Children's Aid Society consents to this application.

....
Date of signature *Signature of authorized signing officer of Society*

Affidavit of Execution
Child and Family Services

I, ...
(*name in full*)

of .....
(*address - street & number, municipality, postal code*)

make oath and say (or affirm):

I was present and saw this consent signed by .....
(*name in full*)

at .....
(*place*)

I am the person who signed as a witness to the consent .....

I am satisfied that .....
(*name in full*)

understands the nature and effect of this consent .....

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A commissioner, etc.

.....
Signature of witness

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Consentement (général) (Traitement en milieu fermé)
Services à l'enfance et à la famille

Formule 28

N° de dossier de la cour :

à _____

_____
adresse

Enfant

Nom et prénoms | Date de naissance (j, m, a) | Sexe

Avocat (nom, adresse et n° de téléphone)

Requérant(s)

Nom(s) et prénom(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

Remplir si le requérant est une personne qui s'occupe de l'enfant, à l'exception du responsable d'un programme de traitement en milieu fermé, et si l'enfant a moins de seize ans.

Je suis/Nous sommes le père et la mère (ou l'un des deux) de l'enfant nommé dans la présente requête.

Je consens/Nous consentons à la présente requête introduite par _____
Nom de la personne qui s'occupe de l'enfant, à l'exception du responsable du programme de traitement en milieu fermé

demandant au tribunal d'ordonner le placement de mon/notre enfant dans le programme de traitement en milieu fermé offert

au _____
nom et adresse du programme

Fait à _____ *le* _____, 19____

_____ _____
Signature du témoin Signature du père ou de la mère

_____ _____
Signature du témoin Signature du père ou de la mère

Remplir si le requérant est le père ou la mère et si l'enfant a seize ans ou plus

Je suis l'enfant nommé dans la présente requête.

Je consens à la présente requête introduite par mon père et ma mère, ou par l'un des deux, demandant au tribunal d'ordonner mon placement dans le programme de traitement en milieu fermé offert

au _____
nom et adresse du programme

Fait à _____ *le* _____, 19____

_____ _____
Signature du témoin Signature de l'enfant

Remplir seulement en cas de requête en prorogation de placement, si le requérant est responsable du programme de traitement en milieu fermé

Je suis/Nous sommes les père et mère, ou l'un des deux, de l'enfant nommé dans la présente requête.

Je consens/Nous consentons à la présente requête demandant au tribunal d'ordonner la prorogation du placement de mon/notre enfant dans le programme de traitement en milieu fermé.

_____ _____
Signature du témoin Signature du père ou de la mère

_____ _____
Signature du témoin Signature du père ou de la mère

Remplir seulement en cas de requête en prorogation de placement, si le requérant est responsable du programme de traitement en milieu fermé et si l'enfant est sous la garde légitime d'une société.

La Société d'aide à l'enfance consent à la présente requête _____ _____
Date de la signature Signature d'un fondé de signature autorisé de la Société

Je soussigné(e) (nom et prénoms)

du (adresse – numéro et rue, municipalité, code postal)

déclare sous serment (ou affirme solennellement) que :

J'ai vu (nom et prénoms) *apposer sa signature au présent consentement, à (lieu)*

, en ma présence.

Je suis celui(celle) qui a signé comme témoin de ce consentement.

Je reconnais que (nom et prénoms)

comprend la nature et les effets de ce consentement.

Déclaré sous serment (ou affirmé solennellement) devant moi à/au _____ *de* _____

dans le/la _____ *de* _____

le _____ *, 19* ____ .

_____
Commissaire, etc.

_____
Signature du témoin

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Consent of Child
(Secure Treatment)
Child and Family Services

Form 29 | Court file no.

at .....

.....
(*address*)

Child

Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

(Strike out word not applicable)

I, ..., know that .....
(*name*) (*name of applicant*)
is asking for a court order placing/keeping me at

..... , a place of secure
(*name and address of secure treatment program*)
treatment. It is a place that may be locked for my protection.

I agree that the court may:

(Check one or more boxes as needed)

☐ make this order;

☐ hold a hearing without my being there;

☐ make this order without hearing witnesses in person.

I have spoken to a lawyer, who has explained these matters to me and has explained what it means for me to sign this consent.

Dated at ..... on ..... 19.....

....
Signature of witness (lawyer giving advice) *Signature of child*

I, ...
(*name in full*)

of .....
(*address - street & number, municipality, postal code*)

make oath and say (or affirm):

I was present and saw this consent signed by .....
(*name in full*)

at .....
(*place*)

I am the person who signed as a witness to the consent .....

I am satisfied that .....
(*name in full*)

understands the nature and effect of this consent .....

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....

A commissioner, etc.

.....

Signature of witness (lawyer giving advice)

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Consentement de l'enfant (Traitement en milieu fermé)
Services à l'enfant et à la famille)

Formule 29

N° de dossier de la cour :

à _____

_____
adresse

Enfant

Nom et prénom | *Date de naissance (j, m, a)* | *Sexe*

Avocat (nom, adresse et n° de téléphone)

Requérant(s)

Nom et prénom(s)

Adresse aux fins de signification (n° et nom de la rue, municipalité et code postal)

Avocat (nom, adresse et n° de téléphone)

Biffer les mentions inutiles

Je soussigné(e) _____ *(nom)*, *sais que* _____ *(nom du requérant)*

désire obtenir une ordonnance pour que je sois placé(e)/gardé(e) à

_____ *(nom et adresse du programme de traitement en milieu fermé)*,

un endroit de traitement en milieu fermé. C'est un endroit où l'on peut m'enfermer pour assurer ma protection.

Je consens à ce que le tribunal:

Cocher une ou plusieurs mentions au besoin

☐ *rende cette ordonnance;*

☐ *tienne une audience en mon absence;*

☐ *rende cette ordonnance sans entendre de témoins en personne.*

J'ai consulté un avocat qui m'a expliqué de quoi il s'agit et qui m'a expliqué les conséquences qui peuvent s'ensuivre du fait que je signe cette formule de consentement.

Fait à _____, *le* _____ *19* ____

_____
Signature du témoin (avocat consulté)

_____
Signature de l'enfant

Je soussigné(e) (nom et prénoms)

domicilié à (adresse – numéro et rue, municipalité, code postal)

déclare sous serment (ou affirme solennellement) ce qui suit:

J'étais présent(e) et j'ai vu (prénom)

signer ce formulaire de consentement à (endroit)

Je suis la personne qui a agi comme témoin de ce consentement.

Je suis convaincu(e) que (prénom)

comprend la nature de ce consentement et en saisit les conséquences.

Déclaré sous serment (ou affirmé solennellement) devant moi à/au _____ *de* _____	
dans le/la _____ *de* _____	*Signature du témoin (avocat consulté)*
le _____ , *19* ___ . _____ *Commissaire, à l'assermentation, etc.*	*(Ce formulaire doit être signé devant un avocat, un juge de paix, un notaire ou un commissaire à l'assermentation.)*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Hearing
Child and Family Services

Form 30 Court file no.

at .....

.....
(*address*)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

To

An application has been made in this court for an order under the *Child and Family Services Act*, concerning the child(ren) named above. Notice is being given to you because your rights may be affected. The details are set out in the attached application.

The court will hold a hearing at .....
(*street & number, municipality, postal code*)

on ..... at .....
(*date*) (*time*)

or as soon after that time as the case can be heard.

If you wish to oppose the application or if you wish to give your views at the hearing, you may attend the hearing with or without your lawyer. If you do not attend the hearing, an order may be made in your absence and enforced against you. The court may make an order different from that requested by the applicant(s).

....
Date *Clerk of the court*

NOTE: A copy of the application signed by the applicant(s) should be attached to this form. If it is missing, you should contact your own lawyer or the court office.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis d'audience

Services à l'enfance et à la famille

Formule 30

N° de dossier de la cour :

à _____

_____
adresse

Enfant(s)

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Avocat (nom, adresse et n° de téléphone)		

À l'intention de

_____

Le tribunal a été saisi d'une requête visant à obtenir une ordonnance aux termes de la Loi sur les services à l'enfance et à la famille, concernant l'enfant (les enfants) nommé(s) ci-dessus. L'avis vous en est donné car il peut y avoir atteinte à vos droits. Les détails sont indiqués dans la requête ci-jointe.

Le tribunal tiendra une audience au (numéro et rue, municipalité, code postal)

le (date)

à (heure)

ou dès que l'affaire pourra être entendue après l'heure indiquée.

Si vous désirez faire opposition à la requête, ou si vous désirez faire valoir votre point de vue lors de l'audience, vous pouvez y assister, accompagné ou non de votre avocat. Si vous n'y assistez pas, une ordonnance peut être rendue en votre absence, à laquelle vous devrez vous soumettre. Le tribunal peut rendre une ordonnance différente de celle qui est sollicitée par le(s) requérant(s).

_____ _____

Date *Greffier de la cour*

REMARQUE: *Une copie de la requête, signée par le requérant, doit être jointe à cette formule. Si elle ne l'est pas, vous devez vous adresser à votre avocat ou au greffe de la cour.*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Affidavit in Support of Motion
Child and Family Services

Form 31 Court file no.

at .....

.....
(*address*)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

I, ..., of the .....
name *city, town, etc.*

of ..... in the .....
name *county, regional municipality, etc.*

of ..... , make oath and say or affirm:
name

This affidavit supports a motion for: (*Specify the order asked for in your notice of motion.*)

The facts in support of this motion are: (*Give facts in support of motion. Where the facts are not within your own personal knowledge, give the source of your information or the grounds for your belief.*)

(*Put a line through any blank space left on this page*)

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ..... , 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Affidavit à l'appui de la motion

Services à l'enfance et à la famille

Formule 31

N° de dossier de la cour :

à _____

_____
adresse

Enfant(s)

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*

Avocat (nom, adresse et n° de téléphone)

Requérant(s)

Nom(s) et prénom(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

Je soussigné(e) _____ *nom et prénoms*, *demeurant en la* _____ *cité, ville, etc* *de* _____ *nom*

du (de la) _____ *comté, municipalité régionale, etc* *de* _____ *nom*, *déclare sous serment ou affirme solennellement ce qui suit:*

Le présent affidavit appuie une motion de: (Indiquer l'ordonnance sollicitée dans votre avis de motion)

Les faits à l'appui de la motion sont les suivants: (Indiquer les faits à l'appui de la motion. Si ces faits ne sont pas connus de première main, indiquer la source de vos renseignements ou les motifs de votre croyance.)

(Tracer une ligne dans tout espace laissé en blanc sur cette page)

Déclaré sous serment (ou affirmé solennellement) devant moi à/au _____ *de* _____ *dans le/la* _____ *de* _____ *le* _____ , *19* ____ . *Commissaire, etc.*	*Signature* *(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Motion
Child and Family Services

Form 32 Court file no.

at .....

.....
(*address*)

Child(ren)

.....

.....

Applicant

.....

.....

To the parties

A motion will be made in the proceeding for an order by the court:

Specify order sought

The details are set out in the attached affidavit. The court will hear this motion at .....

.....
(*street & number, municipality, postal code*)

on ..... at .....
(*date*) (*time*)

or as soon after that time as the motion can be heard.

If you wish to oppose the motion or wish to give your views, you should file an affidavit and may attend the hearing, with or without your lawyer.

If you fail to appear at the hearing, an order may be made in your absence and you will be bound by that order.

....
Date *Name, address, telephone number of moving party's solicitor or moving party*

NOTE: A copy of the affidavit (Form 31) commencing this motion should be attached to this notice. If the affidavit is missing, you should contact your own lawyer or the court office.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis de motion

Services à l'enfance et à la famille

Formule 32 *N° de dossier de la cour :*

_____

_____

adresse

Enfant(s)

Requérant(s)

Aux parties

Une motion sera présentée en l'instance en vue d'obtenir une ordonnance du tribunal:

Indiquer l'ordonnance sollicitée

Les détails figurent sur l'affidavit ci-joint. Le tribunal entendra cette motion au

(adresse – numéro et rue, municipalité, code postal)

le (date)
à (heure)
ou dès que cette motion pourra être entendue.

Si vous désirez faire opposition à la motion ou faire valoir votre point de vue, vous devez remplir un affidavit et vous pouvez assister à l'audience avec ou sans votre avocat.

Si vous ne vous présentez pas à l'audience, une ordonnance peut être rendue en votre absence et vous serez lié par cette ordonnance.

_____ _____

Date *Nom, adresse, n° de téléphone de l'auteur de la motion ou de son avocat*

Remarque: *Une copie de l'affidavit (formule 31) introduisant cette motion doit être annexée au présent avis. En l'absence d'affidavit, veuillez vous adresser à votre avocat ou au greffe de la cour.*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Affidavit of Service
Child and Family Services

Form 33 Court file no.

at .....

.....
(*address*)

Child(ren)

.....

.....

Applicant(s)

.....

.....

I, ..., of the .....,
name *city, town, etc.*

of ..... in the .....
name

of ....., make oath and say (or affirm)

Check appropriate boxes

Personal service

☐ On ..... I left a copy of the following documents with
date

..... the ..... of the child(ren):
name of person to be served *parent, person having actual custody*

.....
identify and attach documents

.....
identify and attach documents

May be used for service on a child, parent or person having actual custody in Protection Proceeding only by Order of the Court

☐ On ..... I left a copy of the following documents with
date

..... a person apparently sixteen years or older, at
name of person to be served

.....
municipal address

.....
identify and attach documents

.....
identify and attach documents

.....
identify and attach documents

.....
identify and attach documents

Mr./Ms. ..... stated to me that .....
name of person to be served

is residing at that address.

☐ On ..... I sent a copy of the following document(s) by prepaid ordinary mail to
date

.....:
name of person to be served

.....
identify and attach documents

.....
identify and attach documents

Attached hereto is the prepaid return postcard in Form 1 in which receipt of such documents is acknowledged.

☐ On ....., I left a copy of the following documents at .....
date *municipal address*

the most recent address for service ..... has filed with the court:
name of person to be served

☐ On ....., I delivered/sent by ordinary mail (delete inapplicable words)
date

a copy of the following document(s) to ....., the lawyer/person
name of person to be served

acting in the proceedings for .....
name of person to be served

.....
identify and attach documents

.....
identify and attach documents

May be used for service on foster parents, children's aid societies, and Directors under the *Child and Family Services Act*

☐ On ....., I sent a copy of the following documents to
date

..... by ordinary mail addressed to
name of person/society to be served

.....
municipal address

.....
identify and attach documents

.....
identify and attach documents

To effect service it was necessary for me to travel ..... kilometers.

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Affidavit de signification

Services à l'enfance et à la famille

Formule 33

N0 de dossier de la cour :

à _____

_____
adresse

Enfant(s)

Requérant(s)

Je soussigné(e) _____ *de* _____ *de* _____ *dans le*
nom *cité, ville, etc.* *nom*

_____ *de* _____, *déclare sous serment (ou affirme solennellement) ce qui suit:*

Cocher la case appropriée

Signification à personne

☐ *Le* _____, *j'ai signifié à* _____, _____
date *nom de la personne qui a reçu la signification* *père, mère ou personne ayant la garde de fait des enfants*

les documents suivants en lui en laissant une copie:

_____
identifier et joindre les documents

_____
identifier et joindre les documents

Ne peut être utilisé dans une instance portant sur la protection de l'enfant que sur ordonnance du tribunal

☐ *Le* _____, *j'ai signifié à* _____, *qui est apparemment*
date *nom de la personne qui a reçu la signification*

âgé(e) de seize ans ou plus, au _____ *les documents suivants en lui en laissant une copie:*
adresse civique

_____
identifier et joindre les documents

_____
identifier et joindre les documents

M/Mme/Mlle _____ *m'a déclaré que* _____
nom de la personne devant recevoir la signification

réside à ladite adresse.

☐ *Le* _____, *j'ai envoyé une copie des documents suivants par courrier ordinaire affranchi à*
date

_____:
nom de la personne devant recevoir la signification

_____
identifier et joindre les documents

_____
identifier et joindre les documents

Vous trouverez ci-joint une carte affranchie selon la formule 1 accusant réception de ces documents.

☐ *Le* _____, *j'ai signifié les documents suivants en laissant une copie au* _____
date *adresse civique*

_____, *le dernier domicile élu déclaré à ce tribunal par* _____
nom de la personne

_____:
devant recevoir la signification

_____
identifier et joindre les documents

_____
identifier et joindre les documents

☐ *Le* _____ (*date*), *j'ai envoyé une copie des documents suivants par courrier ordinaire affranchi au*

_____ (*adresse civique*), *le dernier domicile élu déclaré à ce tribunal par*

_____ (*nom de la personne devant recevoir la signification*) :

_____ (*identifier et joindre les documents*)

_____ (*identifier et joindre les documents*)

☐ *Le* _____ (*date*), *j'ai remis/envoyé par courrier ordinaire (biffer la mention non pertinente) une copie des documents suivants à* _____, *l'avocat/la personne agissant dans l'instance au nom de* _____ (*nom de la personne devant recevoir la signification*) :

_____ (*identifier et joindre les documents*)

_____ (*identifier et joindre les documents*)

Peut être utilisé pour signification à un père ou à une mère de famille d'accueil, à des sociétés d'aide à l'enfance ou à des directeurs en vertu de la Loi sur les services à l'enfance et à la famille

☐ *Le* _____ (*date*), *j'ai envoyé une copie des documents suivants à* _____ (*nom de la personne/de la société*)

_____ (*devant recevoir la signification*) *par courrier ordinaire au*

_____ (*adresse civique*)

_____ (*identifier et joindre les documents*)

_____ (*identifier et joindre les documents*)

Aux fins de cette signification, j'ai dû parcourir _____ *kilomètres.*

Déclaré sous serment (ou affirmé solennellement) devant moi à/au _____ *de* _____	
dans le/la _____ *de* _____	_____ *Signature*
le _____, 19 ___. _____ *Commissaire, etc.*	*(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Summons to a Witness
Child and Family Services

Form 34 | Court file no.

at .....

.....
(address)

Child(ren)

.....

.....

Applicant(s)

.....

.....

Note: When this Summons is served on you, you should receive a witness fee which is calculated as follows:

attendance $ for each day of attendance	=
travel allowance $ each way	=
overnight allowance $	=
Total	=

You may waive the witness fee by contacting the person named below.

This summons was issued on behalf of

To .....
(Full name of witness)

of .....
(Address—street & number, municipality, postal code)

You are commanded to appear at .....

.....
(Address—street & number, municipality, postal code)

on .....
(date)

at .....
(time)

to remain until the proceeding is heard .....

to give evidence in this proceeding before the .....
(court or other official)

and to bring with you the following:

....
Name *Date* *Clerk of the court*

If you fail to attend or to remain as required by this summons, a warrant may be issued for your arrest.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Assignation de témoin

Services à l'enfance et à la famille

Formule 34

N° de dossier de la cour :

à _____

_____

adresse

Enfant(s)

Requérant(s)

Remarque: *Vous recevrez, en même temps que la signification de la présente assignation, une indemnité de témoin calculée comme suit:*

_____

présence

$ *par jour* =

indemnité de déplacement

$ *par traget* =

indemnité d'hébergement et de subsistance

$ =

Total =

Vous pouvez renoncer à l'indemnité de témoin en communiquant avec la personne nommée plus bas.

À *(nom et prénoms du témoin)*

du (adresse – numéro et rue, municipalité, code postal)

Il vous est ordonné de comparaître au *(adresse – numéro et rue, municipalité)*

le (date)

à (heure)

pour y demeurer jusqu'à la fin de l'audience et

témoigner devant (tribunal ou officier de justice)

et d'apporter avec vous ce qui suit:

La présente assignation a été délivrée à

_____ _____ _____

Nom *Date* *Greffier de la cour*

Si vous ne vous présentez pas ou ne demeurez pas présent comme le requiert la présente assignation, un mandat d'arrêt peut être décerné contre vous.

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Consent to Adoption – Director
Child and Family Services

Form 35 Court file no.

at .....

.....
(*address*)

Child(ren)

.....

.....

Applicant(s)

.....

.....

I, ...
(*name in full*)

an employee of the Ministry of Community and Social Services appointed as a Director under the *Child and Family Services Act*, consent to the adoption of the child by the applicant(s)

The child became a ward of the Crown on .....
(*date*)

and was placed in the care of .....
(*name of society*)

There are no outstanding access orders

....
Date *Place* *Signature of Director*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Consentement à l'adoption—Directeur

Services à l'enfance et à la famille

Formule 35

No de dossier de la cour :

à _____

_____

adresse

Enfant

Requérant(s)

Je soussigné(e) (nom et prénoms)

employé(e) du ministère des Services sociaux et communautaires, nommé(e) directeur (directrice) aux termes de la Loi sur les services et à la famille, consens à l'adoption de l'enfant par le(s) requérant(s).

L'enfant est devenu pupille de la Couronne le (date)

et a été confié aux soins de (nom de la société)

Il n'y a pas d'ordonnance accordant le droit de visite.

_____ _____ _____

Date *Lieu* *Signature du directeur*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Consent to Adoption – Parent
Child and Family Services

Form 36 | Court file no.

at .....

.....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Place of birth		

I, ...
(name in full)

of .....
(address - street and number, municipality, postal code)

consent to the adoption of this child.

I am a parent of the child within the meaning of subsection 137 (1) of the *Child and Family Services Act*, by virtue of being

Check the appropriate paragraph

☐ the mother of the child

☐ the father of the child

☐ a person presumed to be the father under section 8 of the *Children's Law Reform Act*

☐ an individual having lawful custody of the child

☐ an individual who, during the 12 months before the child is placed for adoption under Part VII of the Act, has demonstrated a settled intention to treat the child as a child of his or her family

☐ an individual who, during the 12 months before the child is placed for adoption under Part VII of the Act, has acknowledged parentage of the child and provided for the child's support

☐ an individual who is required to provide for, or who has custody of or access to the child under a written agreement or a court order

☐ an individual who has acknowleged parentage of the child in writing under section 12 of the *Children's Law Reform Act.*

1. I was born on .... *(initials)*
(date)
2. I understand the nature and effect of this consent and of an adoption order. ..... *(initials)*
3. I have been advised of my right to be informed on request whether an adoption order has been made and to participate in the voluntary disclosure registry. ..... *(initials)*
4. I have had an opportunity to seek counselling and independent legal advice with respect to this consent. ..... *(initials)*
5. I understand that if an adoption order is made, I will no longer be a parent of the child. ..... *(initials)*
6. I also understand that I may withdraw this consent within twenty-one days by filing a written withdrawal with a children's aid society or the court office at .... *(initials)*

.....
(address - street and number, municipality, postal code)

and that where the child was in my custody immediately before giving this consent, the child will be returned to me.

7. I further understand that after twenty-one days have passed, I may not be allowed to withdraw this consent unless I receive the court's permission, and then only if the child has not been placed for adoption. ..... *(initials)*

.....	.....	.....
Date	*Signature of witness*	*Signature of person consenting*
.....	.....	.....
Place	*Position or title*	

NOTE: The witness must be an authorized employee of a children's aid society. If the person giving the consent is under eighteen years of age, the consent must be accompanied by the report of the Official Guardian (Form 42).

If the consent is signed outside Ontario, it must be witnessed by an employee of a recognized child protection agency.

I, ...
(name in full)

of .....
(address - street & number, municipality, postal code)

make oath and say (or affirm):

I was present and saw this consent signed by .....
(name in full)

at .....
(place)

I am the person who signed as a witness to the consent .....

I explained to .....
(name in full)

- the nature and effect of this consent,
- the circumstances under which the consent may be withdrawn,
- the nature and operation of the voluntary disclosure registry,
- the right to counselling and independent legal advice, and
- the right upon request to be advised whether an adoption order has been made.

I am satisfied that .....
(name in full)

understand(s) the nature and effect of this consent

(strike out this paragraph if it does not apply and initial)

*I am an employee of .....
(name of society)

authorized by it to witness consents to adoption .....
(initials)

*NOTE: An employee of any recognized child welfare agency may witness this consent outside Ontario.

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Consentement à l'adoption – Père ou mère

Services à l'enfance et à la famille

Formule 36

N° de dossier de la cour :

à _____

_____
adresse

Enfant

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*

Lieu de naissance

Je soussigné(e) (nom et prénoms)

du (adresse – numéro et rue, municipalité, code postal)

consens à l'adoption de cet enfant

Je suis le père ou la mère de l'enfant au sens du par. 137(1) de la Loi sur les services à l'enfance et à la famille, puisque je suis

Cocher la case appropriée

- ☐ *la mère de l'enfant*
- ☐ *le père de l'enfant*
- ☐ *le père présumé en vertu de l'article 8 de la Loi portant réforme du droit de l'enfance*
- ☐ *la personne qui a la garde légitime de l'enfant*
- ☐ *la personne qui, au cours des douze mois qui ont précédé le placement de l'enfant en vue de son adoption conformément à la partie VII de la Loi, a manifesté l'intention bien arrêtée de traiter l'enfant comme s'il s'agissait d'un enfant de sa famille*
- ☐ *la personne qui, au cours des douze mois qui ont précédé le placement de l'enfant en vue de son adoption conformément à la partie VII de la Loi, a reconnu le lien de filiation qui l'unit à l'enfant et subvenu à ses besoins*
- ☐ *la personne qui, en vertu d'une entente écrite ou d'une ordonnance d'un tribunal, est tenue de subvenir aux besoins de l'enfant, s'en est vu accorder la garde ou dispose d'un droit de visite*
- ☐ *la personne qui a reconnu par écrit le lien de filiation qui l'unit à l'enfant en vertu de l'article 12 de la Loi portant réforme du droit de l'enfance*

1. *Je suis né(e) le (date)* _____ *(initiales)*
2. *Je comprends la nature et les conséquences de ce consentement et d'une ordonnance d'adoption.* _____ *(initiales)*
3. *On m'a avisé de mon droit d'être informé(e), à ma demande, si une ordonnance d'adoption a été rendue, et d'être inscrit(e) au registre de divulgation volontaire.* _____ *(initiales)*
4. *J'ai eu l'occasion de demander des conseils professionnels et juridiques à des personnes indépendantes en ce qui concerne ce consentement.* _____ *(initiales)*
5. *Je sais que si une ordonnance d'adoption est rendue, je ne serai désormais plus le père (ou la mère) de l'enfant.* _____ *(initiales)*
6. *Je sais aussi que je peux retirer ce consentement dans les vingt et un jours par le dépôt d'une demande écrite au greffe du tribunal au (adresse – numéro et rue, municipalité, code postal)* _____ *(initiales)*

   et que si j'avais la garde de l'enfant immédiatement avant de donner ce consentement, l'enfant me sera rendu.
7. *Je sais de plus qu'à l'expiration de ces vingt et un jours, je ne pourrai retirer ce consentement, sauf avec la permission du tribunal et seulement si l'enfant n'a pas été placé en vue de son adoption.* _____ *(initiales)*

Date	*Signature du témoin*	*Signature de la personne donnant son consentement*
Lieu	*Fonction ou titre*	

Remarque: *Le témoin doit être un employé autorisé de la Société d'aide à l'enfance. Si la personne qui donne le consentement a moins de dix-huit ans, le consentement doit être accompagné du rapport du Tuteur public (Formule 42).*

Le témoin à la signature d'un consentement donné en dehors de l'Ontario doit être un employé d'une agence reconnue de protection de l'enfance.

Je soussigné(e) (nom et prénoms)

du (adresse – numéro et rue, municipalité, code postal)

déclare sous serment (ou affirme solennellement) que:

J'ai vu (nom et prénoms) *apposer sa signature à ce consentement, à (endroit)*

, en ma présence.

Je suis celui(celle) qui a signé comme témoin de ce consentement.

J'ai expliqué à (nom et prénoms)

- *la nature et les conséquences de ce consentement;*
- *les circonstances qui peuvent justifier l'annulation ou le retrait de ce consentement;*
- *la nature et le mode de consultation du registre de divulgation volontaire;*
- *le droit à des conseils professionnels et juridiques de personnes indépendantes;*
- *le droit d'être informé(e), à sa demande, si une ordonnance d'adoption a été rendue.*

Je reconnais que (nom et prénoms)

comprend la nature et les conséquences de ce consentement.

(biffer cet alinéa s'il est inutile et le parapher)

** Je suis un(e) employé(e) de _____ et suis autorisé(e) à agir comme témoin lors de consentements donnés*
(nom de la société)

à l'adoption. _____
(initiales)

* **Remarque:** *L'employé de toute agence reconnue de protection de l'enfance peut servir de témoin si ce consentement est donné hors de l'Ontario.*

Déclaré sous serment (ou affirmé solennellement) devant moi à/au _____ de _____

dans le/la _____ de _____

le _____ , 19 ___ . _____
Commissaire, etc

_____
Signature du témoin

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Consent to Adoption – Spouse
Child and Family Services

Form 37 | Court file no.

at .....

.....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Place of birth		
Lawyer (*name, address and phone no.*)		

I, ...
(name in full)

of .....
(address - street & number, municipality, postal code)

consent to the adoption of this child by my spouse

I am the spouse of the applicant within the meaning of Parts I and II of the Human Rights Code.

....
Date *Signature of witness* *Signature of person consenting*

....
Place *Position or title*

NOTE: **If the person giving the consent is a parent of the child, the witness must be an authorized employee of a children's aid society. If the person giving the consent is under eighteen years of age, the consent must be accompanied by the report of the Official Guardian (Form 42).**

I, ...
(name in full)

of .....
(address - street & number, municipality, postal code)

make oath and say (or affirm):

I was present and saw this consent signed by .....
(name in full)

at .....
(place)

I am the person who signed as a witness to the consent

I explained to .....
(name in full)

1. the nature and effect of this consent
2. the operation of the adoption disclosure registry

I am satisfied that .....
(name in full)

understand(s) the nature and effect of this consent

(*strike out this paragraph if it does not apply and initial*)

*I am an employee of .....
(*name of society*)

authorized by it to witness consents to adoption .....
(*initials*)

***Note:** An employee of any recognized child protection agency may witness this consent outside Ontario.

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Consentement à l'adoption—Conjoint

Services à l'enfance et à la famille

Formule 37

N° de dossier de la cour :

à _____

_____

adresse

Enfant

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Lieu de naissance		
Avocat (nom, adresse et n° de téléphone)		

Je soussigné(e), (nom et prénoms)

du (adresse – numéro et rue, municipalité, code postal)

consens à l'adoption de cet enfant par mon conjoint

Je suis le conjoint du requérant au sens des parties I et II du Code des droits de la personne.

_____ _____ _____

Date *Signature du témoin* *Signature de la personne donnant son consentement*

_____ _____

Lieu *Fonction ou titre*

REMARQUE: *Si la personne donnant son consentement est le père ou la mère de l'enfant, le témoin doit être un employé autorisé d'une société d'aide à l'enfance. Si la personne donnant son consentement a moins de dix-huit ans, le consentement doit être accompagné du rapport du Tuteur public (formule 42).*

Je soussigné(e) (nom et prénoms)

du (adresse – numéro et rue, municipalité, code postal)

déclare sous serment (ou affirme solennellement) que:

J'ai vu (nom et prénoms) *apposer sa signature à ce consentement, à (endroit)*

, en ma présence.

Je suis celui (celle) qui a signé comme témoin de ce consentement.

J'ai expliqué à (nom et prénoms)

1. *la nature et les conséquences de ce consentement;*

2. *la natue et le mode de consultation du registre de divulgation volontaire.*

Je reconnais que (nom et prénoms)
comprend la nature et les conséquences de ce consentement.

(Biffer cet alinéa s'il est inutile et le parapher)

** Je suis un(e) employé(e) de* _____ *et suis autorisé(e) à agir comme témoin lors de consentements donnés*
(nom de la société)

à l'adoption. _____
(initiales)

*** Remarque:** *L'employé de toute agence reconnue de protection de l'enfance peut servir de témoin si ce consentement est donné hors de l'Ontario.*

Déclaré sous serment (ou affirmé solennellement) devant moi à/au _____ *de* _____

dans le/la _____ *de* _____

le _____ *, 19* ____ . _____
Commissaire, etc.

_____
Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Affidavit of Adopting Parent(s)
Child and Family Services

Form 38 | Court file no.

at .....

.....
(*address*)

Child

Full name	Birthdate (*d, m, y*)	Sex

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

I/We .....
(*name(s) in full*)

of .....
(*address*)

make oath and say (or affirm) as follows:

1. I/We am/are an/the applicant(s) for the adoption of .....
2. I/We am/are a resident(s) of Ontario, residing at .....
3. My/our relationship to the child is: .....
(complete only if applicant(s) is/are a relative(s) of the child within the meaning of clause 136 (1) of the Child and Family Services Act)
4. *Check applicable box*
   - ☐ I am the sole applicant for this child's adoption.
   - ☐ We are applying jointly as spouses within the meaning of Parts I and II of the Human Rights Code.
5. I/We understand and appreciate the special role of an adopting parent.
6. I/We have not and to the best of my/our knowledge no other person has made, given or received payment or agreed to do so in relation to any of the following:
   - this adoption
   - the placement for this adoption
   - the negotiations or arrangements with a view of this adoption
   - the giving of consent to this adoption

   except those permitted by the *Child and Family Services Act*, and regulations made under it.

Severally
Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature

.....
Signature

NOTE: This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Affidavit de l'(des) adoptant(s)

Services à l'enfance et à la famille

Formule 38

N° de dossier de la cour :

à _____

_____

adresse

Enfant

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*

Requérant(s)

Nom et prénoms(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

Je/Nous soussigné(s) (nom(s) et prénom(s)) _____

du (adresse) _____

déclare (déclarons) sous serment (ou affirme ou affirmons solennellement) ce qui suit:

1. *Je suis/Nous sommes le/les requérant(s) en vue de l'adoption de* _____

2. *Je suis/Nous sommes un/des résident(s) de l'Ontario, étant domicilié(s) à* _____

3. *Les liens de parenté qui m'(nous) unissent à l'enfant sont les suivants:* _____

_____

(remplir seulement si le/les requérant(s) est/sont un/des parent(s) de l'enfant au sens de l'al. 136(1) de la Loi sur les services à l'enfance et à la famille)

4. *Cocher la case appropriée*

☐ *Je suis l'unique requérant en vue de l'adoption de cet enfant.*

☐ *Nous présentons une requête conjointe à titre de conjoints au sens des parties I et II du Code des droits de la personne.*

5. *Je comprends/Nous comprenons bien le rôle particulier des parents adoptifs.*

6. *Ni moi/nous ni aucune autre personne n'avons, au mieux de ma/notre connaissance, effectué ou reçu ni même accepté d'effectuer ou de recevoir un paiement en ce qui concerne:*
   - *la présente adoption,*
   - *le placement en vue de la présente adoption,*
   - *les négociations entreprises ou les mesures prises dans le dessein de faire adopter l'enfant,*
   - *le consentement donné à la présente adoption,*

   sauf dans la mesure permise par la Loi sur les services à l'enfance et à la famille et les règlements pris en application de celle-ci.

Déclaré conjointement sous serment ou affirmé conjointement solennellement devant moi à/au _____)

de _____ *dans le/la* _____) _____

Signature

de _____ *le* _____ *19* _____) _____

Signature

_____

Commissaire, etc.

Remarque: *La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Consent to Adoption – Child
Child and Family Services

Form 39 Court file no.

at .....

.....
address

Child(ren)

.....

.....

Applicant(s)

.....

.....

I, ...
(*name in full*)

of .....
(*address - street and number, municipality, postal code*)

consent to my adoption by the applicant(s) named above.

1. The nature and effect of an adoption order has been explained to me and I understand what adoption means. ..... (*initials*)
2. I have had a chance to have counselling, and to have advice from a lawyer about this consent. ..... (*initials*)
3. I also understand that I may withdraw this consent within twenty-one days by filing a written withdrawal with a children's aid society or the court office at .... (*initials*)

.....
(*address - street and number, municipality, postal code*)

4. I understand that when I am eighteen years old or older, I may register with the provincial adoption disclosure registry. ..... (*initials*)

To be completed where the child is twelve years of age or over

I want my name after the adoption to be .....
(*full name after adoption*)

....
Date *Signature of witness* *Signature of child*

....
Place *Position or title*

NOTE: The witness must be an authorized employee of children's aid society or a representative of a recognized child protection agency outside Ontario.

I, ...
(*name in full*)

of .....
(*address - street & number, municipality, postal code*)

make oath and say (or affirm):

I was present and saw this consent signed by .....
(*name in full*)

at .....
(*place*)

I am the person who signed as a witness to the consent

I explained to .....
(name in full)

- the nature and effect of this consent,
- the right to counselling and independent legal advice,
- the right to withdraw this consent,
- the operation of the adoption disclosure registry.

I am satisfied that .....
(name in full)

understands the nature and effect of this consent

(strike out this paragraph if it does not apply and initial)

*I am an employee of .....
(name of society)

authorized by the Society to witness consents to adoption .....
(initials)

***Note:** The witness must be an authorized employee of a children's aid society or a representative of a recognized child protection agency outside Ontario.

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature of witness

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Consentement à l'adoption – Enfant

Services à l'enfance et à la famille

Formule 39

N° de dossier de la cour :

à _____

_____
adresse

Enfant

Requérant(s)

Je soussigné(e), (nom et prénoms)

du (adresse – numéro et rue, municipalité, code postal)

consens à mon adoption par le(s) requérant(s) nommé(s) ci-dessus.

1. *Je comprends la nature et les conséquences d'une ordonnance d'adoption et ce que signifie une adoption.* _____ *(initiales)*

2. *J'ai eu l'occasion de recevoir des conseils professionnels et les conseils d'un avocat au sujet de ce consentement.* _____ *(initiales)*

3. *Je sais que je peux retirer ce consentement dans les vingt et un jours en déposant un retrait de consentement écrit au greffe du tribunal situé au (adresse – numéro et rue, municipalité, code postal)* _____ *(initiales)*

4. *Je sais qu'à l'âge de dix-huit ans, je pourrai m'inscrire au registre provincial de divulgation des adoptions.* _____ *(initiales)*

À remplir si l'enfant est âgé de douze ans ou plus

Après l'adoption, je veux m'appeler (nom et prénoms après l'adoption)

_____	_____	_____
Date	*Signature du témoin*	*Signature de l'enfant*
_____	_____	_____
Lieu	*Fonction ou titre*	

Remarque: *Le témoin doit être un employé autorisé d'une société d'aide à l'enfance ou un représentant d'une agence reconnue de protection de l'enfance en dehors de l'Ontario.*

Je soussigné(e) (nom et prénoms)

du (adresse – numéro et rue, municipalité, code postal)

déclare sous serment (ou affirme solennellement) que:

J'ai vu (nom et prénoms) *apposer sa signature à ce consentement, à (endroit)*

, en ma présence.

Je suis celui (celle) qui a signé comme témoin de ce consentement.

J'ai expliqué à (nom et prénoms)

- *la nature et les conséquences de ce consentement;*
- *le droit à des conseils professionnels et juridiques de personnes indépendantes;*
- *le droit de retirer ce consentement;*
- *la nature et le mode de consultation du registre de divulgation volontaire;*

Je reconnais que (nom et prénoms)

comprend la nature et les conséquences de ce consentement.

Biffer cet alinéa s'il est inutile et le parapher

Je suis un(e) employé(e) de _____ *et suis autorisé(e) à agir comme témoin lors de consentements donnés*
(nom de la société)

à l'adoption.

_____
(initiales)

Remarque: *Le témoin doit être un employé autorisé d'une société d'aide à l'enfance ou un représentant d'une agence reconnue de protection de l'enfance en dehors de l'Ontario.*

Déclaré sous serment (ou affirmé solennellement) devant moi à/au _____ *de* _____

dans le/la _____ *de* _____

le _____ *, 19 __ .*

_____
Commissaire, etc.

_____
Signature du témoin

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Recommendation of Director
Child and Family Services

Form 40 Court file no.

at .....

.....
(*address*)

Child

.....

.....

Applicant(s)

.....

.....

1. I, ...
(*name in full*)
am an employee of the Ministry of Community and Social Services appointed as a Director under the *Child and Family Services Act.*
2. The child is under the age of sixteen years, or is under the age of eighteen years and has not withdrawn from parental control.
3. The child has resided in the home of the applicant(s) since .....
(*date*)
(*Strike out if not applicable*)
4. Having regard to the best interests of the child
   ☐ I recommend that the period of residence be dispensed with and that an order for the adoption be made.
   ☐ I recommend that an order of interim custody of the child be made in the applicant(s) favour for a period not exceeding one year with the following terms:
5. The child has resided in the home of the applicant(s) for six months or more and having regard to the best interests of the child
   ☐ I recommend that an order for the adoption of the child be made.
   ☐ I recommend that an order for adoption of the child not be made for the following reasons:
6. The report on the child's adjustment in the adoptive home is attached.
7. I draw to the court's attention the following additional circumstances: (*set out circumstances - where none, state "None".*)

....
Place *Date* *Signature*

Loi sur les tribunaux judiciaires

Cour de l'Ontario
(Division provinciale)

Ontario

Recommandation du directeur
Services à l'enfance et à la famille

Formule 40

N° de dossier de la cour :

à _____

_____
adresse

Enfant

Requérant(s)

1. Je soussigné(e), (nom et prénoms) _____

suis employé(e) du ministère des Services sociaux et communautaires et nommé(e) à titre de directeur en vertu de la *Loi sur les services à l'enfance et à la famille.*

2. L'enfant est âgé de moins de seize ans, ou est âgé de moins de dix-huit ans et ne s'est pas soustrait à l'autorité de son père ou de sa mère

3. L'enfant réside chez le(les) requérant(s) depuis (date) *(Biffer l'alinéa inutile)*

4. Compte tenu de l'intérêt de l'enfant.
   - ☐ je recommande d'accorder une dispense de période de résidence et de rendre une ordonnance d'adoption.
   - ☐ je recommande que soit rendue en faveur du(des) requérant(s) une ordonnance de garde provisoire de l'enfant pour une période qui ne dépasse pas un an, aux conditions suivantes :

5. L'enfant a habité chez le(les) requérant(s) pendant six mois ou plus et considérant son intérêt,
   - ☐ je recommande que soit rendue une ordonnance d'adoption de l'enfant.
   - ☐ je recommande qu'une ordonnance d'adoption de l'enfant ne soit pas rendue pour les motifs suivants:

6. Le rapport sur l'adaptation de l'enfant au foyer du requérant est joint aux présentes.

7. Je porte à l'attention du tribunal les circonstances supplémentaires suivantes : (Énoncer les circonstances. S'il n'y en a pas, indiquer "aucune".)

_____ _____ _____
Lieu Date Signature

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Recommendation of Local Director
Child and Family Services

Form 41 Court file no.

at .....

.....
address

Child

.....

.....

Applicant(s)

.....

.....

I, ...
(*name in full*)

am the local director of the .....
(*name of society*)

The child is under the age of sixteen years, or is under the age of eighteen years and has not withdrawn from parental control.

The child has resided with the applicant(s) since .....
(*date*)

Having regard to the best interests of the child,

☐ I recommend that an order for the adoption of the child be made.

or

☐ I recommend that an order for the adoption of the child not be made for the following reasons: (*specify*)

The report on the child's adjustment in the adoptive home is attached.

I draw to the court's attention the following additional circumstances: (*set out circumstances - where none, state "None".*)

....
Date *Place* *Signature of local director*

NOTE: This form may be used only where a child has been placed for adoption by a children's aid society. Where a child has not been placed by a society, use Form 40 instead of this form. Form 40 must be completed by a Director appointed under the *Child and Family Services Act.*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Recommandation du directeur local

Services à l'enfance et à la famille

Formule 41 N° de dossier de la cour :

à _____

_____

adresse

Enfant

Requérant(s)

Je soussigné(nom et prénoms)

suis le directeur local de (nom de la société)

L'enfant *est âgé de moins de seize ans, ou est âgé de moins de dix-huit ans et ne s'est pas soustrait à l'autorité de son père ou de sa mère.*

L'enfant *réside chez le(les) requérant(s) depuis (date)*

Compte tenu de l'intérêt de l'enfant,

☐ *je recommande que soit rendue une ordonnance d'adoption de l'enfant.*

ou

☐ *je recommande qu'une ordonnance d'adoption de l'enfant ne soit pas rendue pour les raisons suivantes: (préciser)*

Le rapport sur l'adoptation de l'enfant au foyer du requérant est joint aux présentes.

Je porte à l'attention du tribunal les circonstances supplémentaires suivantes: (Énoncer les circonstances. S'il n'y en a pas, indiquer "aucune".)

_____ _____ _____

Date *Lieu* *Signature du directeur local*

Remarque: *La présente formule ne peut être utilisée que pour un enfant qu'une société d'aide à l'enfance a placé en vue de son adoption. Si l'enfant n'a pas été placé par une société, utiliser plutôt la formule 40. Un directeur nommé en vertu de la Loi sur les services à l'enfance et à la famille doit remplir la formule 40.*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Report of the Official Guardian
Child and Family Services

Form 42 Court file no.

at .....

.....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Place of birth		
Lawyer (*name, address and phone no.*)		

I, ...
(name in full)

of .....
(address - street & number, municipality, postal code)

am an authorized representative of the Official Guardian.

I have discussed with .....
(name of minor parent)

the nature and effect of an adoption order and of a consent to an adoption.

The Official Guardian is satisfied that .....
(name of minor parent)

consents to the adoption of this child and that the consent reflects his/her true informed wishes.

....
Date *Signature of witness* *Signature*

Loi sur les tribunaux judiciaires

Cour de l'Ontario
(Division provinciale)

Rapport du Tuteur public
Services à l'enfance et à la famille

Formule 42

N° de dossier de la cour :

à _____

_____
adresse

Enfant

Nom et prénoms	Date de naissance (j, m, a)	Sexe
Lieu de naissance		
Avocat (nom, adresse et n° de téléphone)		

Je soussigné(e) (nom et prénoms)

du (adresse - numéro et rue, municipalité, code postal)

suis un(e) représentant(e) du Tuteur public.

Je me suis entretenu(e) avec (nom du père ou de la mère mineur(e))

de la nature et des conséquences d'une ordonnance d'adoption et d'un consentement à une adoption.

Le Tuteur public estime que le consentement de (nom du père ou de la mère mineur(e))

à l'adoption de l'enfant nommé ci-haut traduit exactement ses voeux formulés en connaissance de cause.

_____ _____ _____
Date Signature du témoin Signature

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Warrant to Bring a Child to a Place of Safety
Child and Family Services

Form 43 Court file no.

at .....

.....
(*address*)

To ..... , child protection worker
(*name of person and position or title*)
and to all peace officers in the Province of Ontario.

On information laid before me on oath (or affirmed) under subsection 40 (2) of the *Child and Family Services Act*, I am satisfied that

Check applicable box

☐ there are reasonable and probable grounds to believe that the child named or described below is in need of protection

☐ the child named and described below is actually or apparently under sixteen years of age and has left or been removed from the lawful care and custody of the

.....
(*name of society*)

I am also satisfied on the basis of the information that there are reasonable and probable grounds to believe that a less restrictive course of action is not available or will not protect the child adequately.

This warrant authorizes you to bring the child .....
(*name of child—if known*)
to a place of safety as defined in the *Child and Family Services Act*.

(*Delete the following if not applicable*)

This warrant further authorizes you to enter at any time and by force if necessary

....
address(es) street and number *municipality*

and to search for and remove the child.

....
Place *Date* *Signature of justice of the peace*

The description of the child is as follows: (*give all known information*)		
Name	Birthdate *(d, m, y)*	Sex
Residence or location		
Height	Weight	Hair colour
Hair style	Eye colour	Complexion
Other features		

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Mandat d'amener un enfant dans un lieu sûr

Services à l'enfance et à la famille

Formule 43

N° de dossier de la cour :

à _____

_____
adresse

À _____ *, assistant(e) social(e) préposé(e) à la protection*
nom de la personne, poste ou titre

de l'enfance et à tous les agents de la paix de la province de l'Ontario.

À la suite de la dénonciation faite devant moi sous serment (ou affirmé solennellement) aux termes du paragraphe 40(2) de la Loi sur les services à l'enfance et à la famille, il appert que:

Cocher la case pertinente

☐ *il existe des motifs raisonnables et probables de croire que l'enfant dont le signalement est donné ci-dessous a besoin de protection*

☐ *l'enfant dont le signalement est donné ci-dessous est réellement ou apparemment âgé de moins de seize ans et s'est soustrait ou a été soustrait à la garde et aux soins légitimes de* _____
(nom de la société

Il appert aussi, selon la dénonciation, qu'il existe des motifs raisonnables et probables de croire qu'une solution moins rigoureuse ne s'offre pas présentement ni n'assurerait à l'enfant une protection suffisante.

Ce mandat vous autorise à amener l'enfant _____ *dans un lieu sûr,*
nom de l'enfant, s'il est connu

tel qu'il est défini dans la Loi sur les services à l'enfance et à la famille

(Biffer la mention suivante si elle est inutile)

Ce mandat vous autorise en outre, à pénétrer, en employant la force si cela est nécessaire, pour y rechercher l'enfant, au

_____ _____
adresse(s) *rue et numéro* *municipalité*

l'en retirer.

_____ _____ _____
Lieu *Date* *Signature du juge de paix*

Le signalement de l'enfant est le suivant : *(donner tous les renseignements connus)*

Nom	*Date de naissance (jour/mois/année)*	*Sexe*

Domicile ou lieu

Taille	*Poids*	*Couleur des cheveux*	*Coiffure*	*Couleur des yeux*	*Teint*

Autres caractéristiques

O. Reg. 94/86, s. 18, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Information in Support of a Warrant to Bring a Child to a Place of Safety
Child and Family Services

Form 44 Court file no.

at .....

.....
(address)

This is the information of ..... of .....
name of informant *address*

I am a child protection worker employed by

Check appropriate box

☐ I have reasonable and probable grounds to believe and I believe that .....
(name of child)
is a child in need of protection, based on the following information:

Set out grounds

☐ I have reasonable and probable grounds to believe that .....
(name of child)
who is a child actually or apparently under the age of sixteen years has left or been removed from the lawful care of

.....
(name of society)
without the consent of the society.

I have reasonable and probable grounds to believe and do believe that a less restrictive course of action is not available or will not protect the child adequately, for the following reasons:

Set out reasons

(*Delete the following if not applicable*)

I have reasonable and probable grounds to believe that the child may be found at:

....
address(es) street and number *municipality*

Sworn (or affirmed) before me this ..... day of ....., 19....

at the ..... of .....

in the ..... of .....

.....
A justice of the peace in and for the Province of Ontario

.....
Signature of informant

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Dénonciation à l'appui du mandat d'amener un enfant dans un lieu sûr

Services à l'enfance et à la famille

Formule 44

N° de dossier de la cour :

à _____

_____
adresse

La présente constitue la dénonciation de _____ de _____
Nom du dénonciateur adresse

Je suis assistant(e) social(e) préposé(e) à la protection de l'enfance, à l'emploi de

Cocher la case pertinente

☐ J'ai des motifs raisonnables et probables de croire et je crois en fait que, _____
nom de l'enfant

est un enfant ayant besoin de protection, pour les motifs suivants:

Indiquer les motifs

☐ J'ai des motifs raisonnables et probables de croire que, _____
nom de l'enfant

un enfant réellement ou apparemment âgé de moins de seize ans, s'est dérobé ou a été soustrait aux soins légitimes de _____ sans l'autorisation de celle-ci.
nom de la société

J'ai des motifs raisonnables et probables de croire et je crois en fait qu'une solution moins rigoureuse ne s'offre pas présentement ni n'assurerait à l'enfant une protection suffisante, pour les motifs suivants:

Indiquer les motifs

(Biffez la mention suivante si elle est inutile)

J'ai des motifs raisonnables et probables de croire que l'enfant peut être trouvé à l'un des endroits suivants:

_____ _____
adresse(s) numéro et rue municipalité

Déclaré sous serment (ou affirmé solennellement) le _____ 19____

dans _____ de _____

dans _____ de _____

_____
Juge de paix pour la province de l'Ontario

_____
Signature du dénonciateur

O. Reg. 94/86, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Order on Motion without Notice
Child and Family Services

Form 45 Court file no.

at .....

.....
(address)

Child(ren) (*If this order is ancillary to an adoption, show one child only*)

Judge

Date of Order

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

On motion of .....
(name)

in the presence of .....
(name of parties and solicitors in court)

on reading the .....
(list documents filed on motion)

and on receiving evidence and hearing submissions on behalf of .....
(name(s))

this court orders that:

....
Date of signature *Signature of judge or clerk of the court*

Notice to .....
(name)

The above order has been made without notice to you. You may request this court to vary or discharge the order by serving an affidavit and notice of motion on the other parties and filing them at the court office within seven days after the order comes to your attention.

Loi sur les tribunaux judiciaires

Cour de l'Ontario
(Division provinciale)

Ontario

Ordonnance rendue sur motion sans préavis
Services à l'enfance et à la famille

Formule 45

N° de dossier de la cour :

à _____

_____
adresse

Juge

_____

Date de l'ordonnance

_____

Enfant(s) *(Si cette ordonnance s'applique à une adoption, ne mentionner qu'un seul enfant)*

Nom et prénoms	Date de naissance (j, m, a)	Sexe
Nom et prénoms	Date de naissance (j, m, a)	Sexe
Nom et prénoms	Date de naissance (j, m, a)	Sexe

Avocat (nom, adresse et n° de téléphone)

Nom(s) et prénom(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

À la suite d'une motion présentée par (nom)

en présence de (nom des parties et des procureurs devant le tribunal)

à la lecture de (liste des documents déposés à l'appui de la motion)

et après avoir reçu les témoignages et entendu les observations en faveur de (nom(s))

le tribunal ordonne que:

_____ _____
Date de la signature Signature du juge ou du greffier de la cour

Avis à (nom)

L'ordonnance ci-dessus a été rendue sans que vous ayez été avisé. Vous pouvez demander au tribunal de modifier l'ordonnance ou d'en prononcer la mainlevée en signifiant un affidavit et un avis de motion aux autres parties et en les déposant au greffe du tribunal dans les sept jours de la date à laquelle l'ordonnance est portée à votre attention.

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Order
Child and Family Services

Form 46 Court file no.

at .....

.....
(address)

Child(ren) (*If this order is ancillary to an adoption, show one child only*)

Judge

Date of Order

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

On .....
(motion or application)

of .....
(name)

in the presence of .....
(name of parties and solicitors in court)

On reading the .....
(list documents filed on motion or application)

and on receiving evidence and hearing submission on behalf of the parties,

this court orders that:

....
Date of signature *Signature of a judge or clerk of the court*

....
Date *Signature of judge or clerk of the court*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Ordonnance

Services à l'enfance et à la famille

Formule 46

N° de dossier de la cour :

à _____

_____

adresse

Juge

_____

Date de l'ordonnance

_____

Enfant(s)

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*

Avocat (nom, adresse et n° de téléphone)

Requérant(s)

Nom(s) et prénom(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

Sur (motion ou requête)

de (nom)

en présence de (nom des parties et des procureurs devant le tribunal)

À la lecture de (liste des documents déposés à l'appui de la motion ou de la requête)

et après avoir reçu les témoignages et entendu les observations en faveur des parties,

le tribunal ordonne que:

_____ _____

Date de la signature *Signature du juge ou du greffier de la cour*

_____ _____

Date *Signature du juge ou du greffier de la cour*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Protection/Access/
Status Review Order

If Crown wardship, a separate order is required for each child.

Child and Family Services

Form 47

Court file no.

at .....

.....
(address)

Judge

Date of Order

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

On application of .....
(name)

in the presence of .....
(name of parties and solicitors in court)

on reading the .....
(list documents filed on application)

on receiving evidence and hearing submissions on behalf of the parties

and on finding the child(ren) to be in need of protection (*delete if not applicable*)

this court orders that:

....
Date of signature *Signature of judge or clerk of the court*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Ordonnance portant sur la protection/le droit de visite/la révision du statut de l'enfant

En cas de tutelle de la Couronne, une ordonnance distincte est nécessaire pour chaque enfant

Services à l'enfance et à la famille

Formule 47

N° de dossier de la cour :

à _____

_____
adresse

Juge

_____

Date de l'ordonnance

_____

Enfant(s)

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*

Avocat (nom, adresse et n° de téléphone)

Requérant(s)

Nom(s) et prénom(s)

Domicile élu (numéro et rue, municipalité, code postal)

Avocat (nom, adresse et n° de téléphone)

Sur requête de (nom)

en présence de (noms des parties et des procureurs devant le tribunal)

à la lecture de (liste des documents déposés à l'appui de la requête)

après avoir reçu les témoignages et entendu les observations en faveur des parties,

et après avoir constaté le besoin de protection de l'enfant (des enfant) (biffer si non applicable)

le tribunal ordonne que:

_____ _____

Date de la signature *Signature du juge ou de greffier de la cour*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Adoption Order
Child and Family Services

Form 48 Court file no.

at .....

.....
(address)

Child(ren)

Judge	Name	Birthdate (*d, m, y*)	Sex
Date of Order	Place of birth	Birth registration number	
	Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

On application of .....
(name)

in the presence of .....
(name of parties and solicitors in court)

on reading the .....
(list documents filed on application)

on receiving evidence and hearing submissions on behalf of .....
(name)

this court orders that:

1. The above-mentioned child is adopted as the child of .....
(name(s) of applicant(s))

2. The name of the child shall be .....

....
Date of signature *Signature of judge or clerk of the court*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Ordonnance d'adoption

Services à l'enfance et à la famille

Formule 48

N° de dossier de la cour :

à _____

_____

adresse

Juge

_____

Date de l'ordonnance

_____

Enfant

Nom et prénoms	*Date de naissance (j, m, a)*	*Sexe*
Lieu de naissance	*Numéro d'inscription de la naissance*	
Avocat (nom, adresse et n° de téléphone)		

Requérant(s)

Nom(s) et prénom(s)
Domicile élu (numéro et rue, municipalité, code postal)
Avocat (nom, adresse et n° de téléphone)

Sur requête de (nom)

en présence de (noms des parties et des procureurs devant le tribunal)

à la lecture de (liste des documents déposés à l'appui de la requête)

après avoir reçu les témoignages et entendu les observations au nom de (nom)

le tribunal ordonne que:

1. *Soit déclarée l'adoption de l'enfant nommé ci-haut par (nom(s) du(des) requérant(s))*

2. *Le nom de l'enfant soit*

_____ _____

Date de la signature *Signature du juge ou de greffier de la cour*

O. Reg. 570/85, s. 14, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Affidavit in Support of Filing of Domestic Contract or Paternity Agreement

Form 49 | Court file no.

at .....

.....
(address)

Applicant(s) *If more than one applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one respondent, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

I, ..., of the .....
name *city, town, etc.*

of ..... in the .....
name *county, regional municipality, etc.*

of ..... , make oath and say (or affirm):
name

1. I attach ☐ the original ☐ a copy of a ☐ marriage contract ☐ cohabitation agreement ☐ separation agreement ☐ paternity agreement for filing with the court for enforcement.

2. The contract/agreement is in effect and has not been set aside or varied by court order or by agreement.

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Cour de l'Ontario (Division provinciale)

Affidavit à l'appui du dépôt d'un contrat familial ou d'un accord de paternité

Formule 49

N° de dossier de la cour :

à _____

_____
adresse

Requérant(s) *S'il y a plusieurs requérants, inscrire les noms et adresses de chacun.*

Nom et prénom(s)	Nom et prénom(s)
Domicile élu (rue et numéro, municipalité, code postal)	Domicile élu (rue et numéro, municipalité, code postal)
Avocat (nom, adresse, numéro de téléphone)	Avocat (nom, adresse, numéro de téléphone)

Intimé(s) *S'il y a plusieurs intimés, inscrire les noms et adresses de chacun d'eux et les renseignements concernant l'avocat de chaque intimé.*

Nom et prénom(s)	Nom et prénom(s)
Domicile élu (rue et numéro, municipalité, code postal)	Domicile élu (rue et numéro, municipalité, code postal)
Avocat (nom, adresse et numéro de téléphone)	Avocat (nom, adresse et numéro de téléphone)

Je soussigné, _____ *de* _____ *de*
nom *cité, ville, etc.*

dans le (la) _____ *de* _____, *déclare sous serment (ou*
comté, municipalité régionale, etc. *nom*

affirme solennellement) que:

1. *J'annexe* ☐ *l'original* ☐ *un exemplaire* *d'un* ☐ *contrat de mariage* ☐ *accord de cohabitation* ☐ *accord de séparation* ☐ *accord de paternité* *pour qu'il soit déposé auprès de la cour à des fins d'exécution.*

2. *Le contrat/l'accord est toujours valide et n'a pas été annulé ni modifié en vertu d'une ordonnance du tribunal ou à l'amiable.*

Déclaré sous serment (ou affirmé solennellement) le _____, *19* _____,

dans le/la _____ *de* _____

le _____, *19* _____. _____
Commissaire, etc.

_____
Signature

Cette formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.

O. Reg. 94/86, s. 19, *revised.*

Courts of Justice Act

Ontario Court (Provincial Division)

Request for Enforcement

Form 50

Court file no.

at .....

.....

(address)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

I, the undersigned, make oath and say:

1. I seek to enforce the following

   ☐ order

   ....
   Date of order *Court* *Court file no.*

   ☐ agreement filed with the court

   ....
   Date of agreement *Date filed* *Court file no.*

   (*Attach copy of order/agreement*)

2. The order/agreement is being enforced for the benefit of

   ....
   Full name(s) *Relationship to creditor*

3. I authorize the court to receive, record and pay out to me or my assignee all sums payable under the order/agreement, including costs.

4. The order/agreement is in default in the amount shown in the attached statement of arrears.

5. I request that the order/agreement be enforced against the debtor now, and automatically upon any future default, by means of a notice of default requiring the debtor to file a financial statement, appear before the court to explain under oath the default up to the date of that appearance and to pay into court the costs of the proceeding, incurred by me or those acting on my behalf.

6. I request the court to enforce this order/agreement by any of the remedies set out in the *Support and Custody Orders Enforcement Act*, including imprisonment.

....
Date *Signature*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Demande d'exécution

Formule 50 | N° de dossier de la cour :

à _____

_____

adresse

Créancier

Nom et prénom
Domicile élu (numéro et rue, municipalité, code postal)

Débiteur

Nom et prénom
Domicile élu (numéro et rue, municipalité, code postal)

Je soussigné déclare sous serment:

1. *Que je demande l'exécution de:*

☐ *l'ordonnance*

Date de l'ordonnance *Cour* *N° de dossier de la cour :*

☐ *l'accord déposé auprès du tribunal*

Date de l'accord *Déposé le* *N° de dossier de la cour :*

(Annexer une copie de l'ordonnance/de l'accord)

2. *L'ordonnance est exécutoire pour le compte de:*

Nom(s) et prénoms *Lien avec le créancier*

3. *J'autorise la cour à percevoir, à consigner et à verser à moi-même ou à mon cessionnaire la totalité des sommes consignées payables aux termes de l'ordonnance/de l'accord, y compris les frais.*

4. *Il y a un défaut de paiement, en contravention de l'ordonnance/de l'accord, égal au montant qui figure au relevé de l'arriéré ci-annexé.*

5. *Je demande que l'ordonnance/l'accord soit immédiatement exécutoire contre le débiteur et de façon automatique lors de tout défaut futur, au moyen d'un avis de défaut exigeant du débiteur qu'il dépose un état financier, qu'il se présente devant le tribunal pour expliquer sous serment les motifs du défaut jusqu'à la date de sa comparution et qu'il consigne au greffe de la cour les frais de l'instance que j'ai engagés ou qu'ont engagés les personnes agissant en mon nom.*

6. *Je demande que le tribunal procède à l'exécution de la présente ordonnance/du présent accord en imposant l'une des sanctions qui figurent à la Loi sur l'exécution d'ordonnances alimentaires et de garde d'enfants, y compris l'emprisonnement.*

Déclaré sous serment devant moi dans le/la _____ *de* _____

dans le/la _____ *de* _____

le _____ , 19 ___ .

_____

Commissaire, etc.

_____

Signature

(la présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

O. Reg. 94/86, s. 20, *revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Statement of Arrears

Form 51 | Court file no.

at .....

.....
(address)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

I, the undersigned, make oath and say (or affirm):

1. I am the creditor under the following

☐ order

....
Date of order *Court* *Court file no.*

☐ agreement filed with the court

....
Date of agreement *Date filed* *Court file no.*

(*Attach copy of order or agreement*)

2. The following amounts due under the order or agreement have not been paid:

Date Payment Due	*Amount Due*	*Date Paid*	*Amount Paid*	*Arrears*

Total Arrears $

Total interest to date calculated at .....% _____

TOTAL $

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Relevé de l'arriéré

Formule 51

N° de dossier de la cour :

à _____

_____

adresse

Créancier

Nom et prénom
Domicile élu (numéro et rue, municipalité, code postal)

Débiteur

Nom et prénom
Domicile élu (numéro et rue, municipalité, code postal)

Je soussigné, déclare sous serment (ou affirme solennellement) que:

1. *Je suis le créancier aux termes:*

☐ *d'une ordonnance*

date de l'ordonnance *cour* *dossier de la cour no.*

☐ *d'un accord déposé auprès du tribunal*

date de l'accord *date du dépôt* *dossier de la cour no.*

(Annexer une copie de l'ordonnance ou de l'accord)

2. *Les sommes d'argent suivantes payables en vertu de l'ordonnance ou de l'accord n'ont pas été versées:*

date d'échéance du versement *montant échu* *date du paiement* *montant versé* *arriéré*

Total de l'arriéré _____ *$*

Total des intérêts jusqu'à ce jour calculés au taux de _____ *%*

TOTAL _____ *$*

Déclaré sous serment (ou affirmé solennellement) le _____ *de* _____

dans le _____ *de* _____

le _____ , *19* ___ .

_____

Commissaire, etc.

_____

Signature

(Cette formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

O. Reg. 94/86, s. 21, *revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Request for a Writ of Seizure and Sale

Form 52 | Court file no.

at .....

.....
(*address*)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

I, ..., of the .....,
name *city, town, etc.*

of ..... in the .....,
name *county, regional municipality, etc.*

of ....., make oath and say (or affirm):
name

1. I am ☐ the creditor;

   ☐ a parent of the creditor;

   ☐ an assignee of the creditor;

   ☐ other (*specify*)

2. By an order, judgment or decree *nisi* of .....
(*name of court*)

   made on ....., 19....., the debtor was ordered to pay:
(*date*)

   ☐ a lump sum of $..... to .....
(*name of payee*)

   ☐ periodic support or maintenance in the amount of $..... per .....
(*month, week, etc.*)

   beginning on ....., 19....., to .....
(*date*) (*name of payee*)

   ☐ court costs in the amount of $..... to .....
(*name of payee*)

   ☐ other (*specify*) .....

3. As of today, there remains owing:

☐ $..... on the lump sum and interest at ..... per cent per year beginning on

.....

(*date from which interest runs*)

(*if the lump-sum order was made six or more years ago, the clerk of the court cannot issue a writ of seizure and sale until you obtain and file with him or her a copy of an order of this court giving you leave to enforce the lump sum beyond six years.*)

☐ the following periodic payments of support or maintenance: (*these may be listed on a separate page if the number of defaults is large. List only those defaults that occurred in the past. The clerk of the court may not issue a writ of seizure and sale for defaults that have not yet taken place.*)

Amount of payment in default *Due date*

.....

.....

.....

totalling $..... and bearing interest at ..... per cent per year on each payment, beginning on the date of each default (*if any default occurred six or more years ago, the clerk of the court cannot include it in the writ of seizure and sale until you obtain and file with him or her a copy of an order of this court giving you leave to enforce arrears beyond six years.*)

☐ court costs of $..... and interest at ..... per cent per year beginning on

.....

(*date from which interest runs*)

(*if the determination of costs was made six or more years ago, the clerk of the court may not include it in the writ of seizure and sale until you obtain and file with him or her a copy of an order of this court giving you leave to enforce court costs beyond six years.*)

☐ other (*specify*) .....

.....

4. I request that a writ of seizure and sale be directed to the Sheriff for the area of .....
(*name of area*)

a) to seize and sell the real and personal property of .....
(*debtor's name*)

b) to realize from that seizure and sale those sums owing in paragraph 3, except: (*list those sums that you do not wish to be included for enforcement in the writ of seizure and sale. If you have no exceptions, state "None".*)

.....
and

c) to pay on my behalf any amounts realized to the clerk of this court.

5. There has been no previous request for a writ of seizure and sale by or on behalf of the persons entitled to support or maintenance except (*Give details. If no previous request was made, state "None".*)

.....

.....

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

NOTE: You must attach to this request:

(a) a copy of the order, judgment or decree *nisi* that directs the payment of support or maintenance;

(b) where court costs were determined separately, a copy of the certificate of the determination of costs; and

(c) a copy of any order of this court giving you leave to enforce sums of money that you want to have enforced that are six or more years in default.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Demande de bref de saisie-exécution

Formule 52 | N° de dossier de la cour :

à _____

_____
adresse

Créancier

Nom et prénom(s)
Domicile élu (numéro et rue, municipalité, code postal)

Débiteur

Nom et prénom(s)
Domicile élu (numéro et rue, municipalité, code postal)

Je soussigné(e) ..... (nom), demeurant en la ..... (cité, ville, etc.) de ..... (nom de la municipalité) du (de la) ..... (comté, municipalité régionale, etc.) de ..... (nom), déclare sous serment (ou affirme solennellement) ce qui suit:

1. Je suis ☐ le créancier;
   ☐ le père ou la mère du créancier;
   ☐ un cessionnaire du créancier;
   ☐ autre (préciser)

2. En vertu d'une ordonnance, d'un jugement ou d'un jugement conditionnel (nom de la cour) en date du (date)
   il a été enjoint au débiteur de verser:
   ☐ une somme forfaitaire de $ à (nom du bénéficiaire)
   ☐ des sommes échelonnées, à titre d'aliments ou de pension alimentaire de $ par (mois, semaine, etc.)
   ☐ à compter du (date) , à (nom du bénéficiaire)
   ☐ des dépens s'élevant à $ à (nom du bénéficiaire)
   ☐ autre (préciser)

3. À ce jour, restent dus:
   ☐ $ sur la somme forfaitaire et des intérêts au taux de pour cent par année, à compter du (date à compter de laquelle courent les intérêts)

   (si l'ordonnance de paiement forfaitaire a été rendue il y a six ans ou plus, le greffier de la cour ne peut délivrer de bref de saisie-exécution que lorsque vous obtenez et déposez auprès de lui une copie de l'ordonnance vous accordant l'autorisation de faire exécuter la somme forfaitaire qui remonte à plus de six ans.)

   ☐ les sommes échelonnées suivantes à titre d'aliments ou de pension alimentaire: (se servir d'une autre page si les défauts sont trop fréquents. N'indiquer ici que les défauts survenus dans le passé. Le greffier de la cour ne peut pas délivrer de bref de saisie-exécution relativement à des défauts qui ne sont pas encore survenus.)

   montant du paiement en défaut date d'échéance

   le total s'élève à $ portant intérêt à un taux de pour cent par année sur chaque paiement, à compter de la date des défauts. (Si le défaut est survenu il y a six ans ou plus, le greffier de la cour ne peut l'inclure dans le bref de saisie-exécution que lorsque vous obtenez et déposez auprès du lui une copie de l'ordonnance vous accordant l'autorisation de faire exécuter l'arriéré qui remonte à plus de six ans.)

à _____

_____

adresse

☐ *la somme de* *$, à titre de dépens, et les intérêts calculés à un taux annuel de* *pour cent à partir du (date à laquelle courent les intérêts)*

(si les dépens ont été adjugés il y a six ans ou plus, le greffier ne peut les inclure dans le bref de saisie-exécution que lorsque vous obtenez et déposez auprès de lui une copie de l'ordonnance de ce tribunal vous autorisant à faire exécuter les dépens qui remontent à plus de six ans.)

☐ *autre (préciser)*

4. *Je demande qu'un bref de saisie-exécution soit délivré au shérif de la localité (nom de la localité) afin de:*

a) saisir, exécuter les biens meubles et immeubles qui appartiennent à (nom du débiteur)

b) procéder à leur vente pour réaliser les sommes dues indiquées à la disposition 3, à l'exception de: (indiquer ici les sommes que vous ne désirez pas voir inclure aux fins de l'exécution, dans le bref de saisie-exécution. S'il n'y a pas d'exception inscrire "aucune".)

et

c) de verser pour mon compte au greffier de la cour les montants perçus.

5. *Aucune demande préalable de bref de saisie-exécution n'a été faite de la part des créanciers d'aliments ou de pension alimentaire sauf; (donner les détails. Si aucune demande préalable n'a été faite, inscrire "aucune".)*

Déclaré sous serment (ou affirmé solennellement) devant moi dans le/la _____ *de* _____

dans le/la _____ *de* _____

le _____ , *19* ___ .

_____

Commissaire, etc.

_____

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

REMARQUE: *Vous devez annexer à la présente demande:*

a) une copie de l'ordonnance, du jugement ou du jugement conditionnel qui ordonne le paiement d'aliments ou de pension alimentaire;
b) si les dépens ont été adjugés séparément, une copie du certificat du liquidation des dépens;
c) une copie de l'ordonnance rendue par ce tribunal vous autorisant à faire exécuter les sommes d'argent dont vous désirez voir l'exécution et dont le défaut remonte à six ans ou plus.

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Writ of Seizure and Sale

Form 53 | Court file no.

at .....

.....
(address)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

To the sheriff for the area of .....
(name of area)

An order for support or maintenance enforceable in Ontario made on .....,
(date)

in favour of ..... has been filed in this court.
(name of creditor)

YOU ARE DIRECTED to seize and sell the real and personal property within your area of .....
(name of debtor)

and to realize from that seizure and sale the following sums:

(check appropriate box)

☐ a lump sum of $ ..... and interest at ..... per cent per year beginning on

.....
(date from which interest runs)

☐ the following periodic payments of support or maintenance:
(In the event of a large number of defaults, they may be listed on a separate sheet attached to this writ and signed and dated by the clerk.)

Amount of payment in default *Due date*

.....

.....

.....

totalling $..... and bearing interest at ..... per cent per year on each payment in default beginning on the date of each default;

☐ court costs of $..... and interest at ..... per cent per year beginning on

.....
(date from which interest runs)

together with your fees and expenses in enforcing this writ.

YOU ARE DIRECTED to pay out the proceeds according to law and to report to this court on the enforcement of this writ.

....

Date of signature *Clerk of the court*

Name of creditor: .....

Name of debtor: .....

Fees		
Fee	Item	Officer

Renewal	
Date	Officer

Ontario Court (Provincial Division)

at .....

.....

address

Writ of Seizure and Sale

Creditor's name: .....

Creditor's address for service: .....

Solicitor's name: .....

Solicitor's address and telephone no. .....

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Bref de saisie-exécution

Formule 53

N° de dossier de la cour :

à _____

_____
adresse

Créancier

Nom et prénom(s)
Domicile élu (numéro et rue, municipalité, code postal)

Débiteur

Nom et prénom(s)
Domicile élu (numéro et rue, municipalité, code postal)

Au shérif de la localité (nom de la localité)

Une ordonnance alimentaire exécutoire en Ontario et rendue le (date) _____ *, en faveur de* (nom du créancier) _____ *a été déposée auprès de ce tribunal.*

NOUS VOUS ENJOIGNONS *de saisir les biens meubles et immeubles qui se trouvent dans votre* ***localité et qui appartiennent à*** (nom du débiteur) _____ *et de procéder à leur vente afin de réaliser les sommes suivantes:*

(Cocher la case appropriée)

☐ *une somme forfaitaire de* _____ *$ et les intérêts calculés à un taux annuel de* _____ *pour cent à partir du* (date à compter de laquelle courent des intérêts)

☐ *les versements échelonnés suivants à titre d'aliments:*

montant du paiement en défaut	*date d'échéance*

Si les défauts sont fréquents les indiquer sur une feuille distincte annexée au présent bref, signée et datée par le greffier.

soit le total de _____ *$ portant intérêt au taux annuel de* _____ *pour cent sur chaque paiement en défaut, à partir de la date du défaut;*

☐ _____ *$ à titre de dépens ainsi que les intérêts calculés au taux annuel de* _____ *pour cent à partir du* (date à compter de laquelle courent des intérêts)

ainsi que les honoraires et frais qui vous sont dus pour l'exécution forcée du présent bref.

ET NOUS VOUS ENJOIGNONS *de verser le produit de la vente au greffier de la cour pour le compte du créancier et de faire un rapport à ce tribunal sur l'exécution forcée du présent bref.*

_____ _____

Date *Greffier de la cour*

Nom du créancier: _____

Nom du débiteur: _____

Honoraires		
Honoraires	*Poste*	*Officier de justice*

Renouvellement	
Date	*Officier de justice*

Cour de l'Ontario
(Division provinciale)

de _____

_____
adresse

Bref de saisie-exécution

Nom du créancier _____

Domicile élu du créancier _____

Nom du procureur _____

Adresse et n° de téléphone du procureur _____

O. Reg. 808/84, s. 31, *part*; O. Reg. 103/85, s. 4, *revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Request for Garnishment

Form 54 Court file no.

at .....

.....
(address)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

I, ..., of the .....
name *city, town, etc.*

of ..... in the .....,
name *county, regional municipality, etc.*

of ..... , make oath and say (or affirm):
name

1. I am ☐ the creditor; ☐ an assignee of the creditor;
☐ a parent of the creditor; ☐ other; (*specify*) .....
2. By an order, judgment or decree *nisi* of .....,
(*name of court*)
....., 19....., the debtor was ordered to pay:
(*date*)
☐ a lump sum of $....., to .....;
(*name of payee*)
☐ periodic support or maintenance in the amount of $..... per .....,
beginning ....., 19....., to .....;
(*date*) (*name of payee*)
☐ court costs in the amount of $..... to .....;
(*name of payee*)
☐ other; (*specify*) .....
3. The order, judgment or decree *nisi* referred to in paragraph 2 is still in effect and has not been varied, suspended or discharged.
4. As of today, there remains owing:
☐ arrears of $.....;
☐ court costs of $.....;
☐ the sum of $..... in post-judgment interest calculated at the rate of ..... per cent per year on the arrears and costs;
☐ other; (*specify*) .....

5. I request that a notice of garnishment be directed to .....
(name of garnishee)

at .....

.....
(address)

who resides or carries on business in Ontario at .....
(garnishee's address)

and whom I have reason to believe and do believe to be indebted to the debtor

(check off one or more boxes below, as appropriate)

☐ in a lump sum amount ☐ of $.....

☐ that I am unable to name;

☐ in periodic amounts ☐ of $.....

☐ that I am unable to name;

paid on each .....
(regular days or dates of periodic payment)

in respect of .....
(describe the nature of payments, whether wages, pension or otherwise)

(If you are enforcing a lump-sum order, arrears, court costs or interest and if the garnishee owes a periodic debt to the debtor, please state below how you wish to amortize your claim against that periodic debt and please include the last payment date in your amortization plan on which your claim for the lump-sum order, arrears, court costs or interest will be paid off by the debtor. Also remember that, if the garnishee is the debtor's employer, section 7 of Ontario's Wages Act exempts fifty per cent of the debtor's wages from garnishment, unless you or the debtor obtain from the court an order that either decreases or increases the percentage of the exemption. If such an order is obtained, a copy must be attached to this request and another copy must be served on the other parties to the intended garnishment. Your amortization plan should take into account the fact that a notice of garnishment is effective for a period of six years after its service on the garnishee.)

6. *(If you wish to have a notice of garnishment directed to more than one garnishee, provide the information about each additional garnishee in the manner set out in paragraph 4 above.)*

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

NOTE: You must attach to this request:

(a) a copy of the order, judgment or decree *nisi* that directs the payment of support or maintenance;

(b) where court costs were determined separately, a copy of the certificate of the determination of costs; and

(c) where an order was made under section 7 of the *Wages Act* that decreases or increases the fifty per cent exemption, a copy of that order.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Demande de saisie-arrêt

Formule 54

N° de dossier de la cour :

à _____

_____
adresse

Créancier

Nom et prénoms
Domicile élu (numéro et rue, municipalité, code postal)

Débiteur

Nom et prénoms
Domicile élu (numéro et rue, municipalité, code postal)

Je soussigné(e) ..... (nom), de ..... (ville, etc.) de ..... (nom)

dans le(la) ..... (comté, municipalité régionale) de ..... (nom), déclare sous serment (ou affirme solennellement) que:

1. Je suis
   - ☐ le créancier;
   - ☐ le père ou la mère du créancier;
   - ☐ cessionnaire du créancier;
   - ☐ autre (préciser)

2. Aux termes d'une ordonnance, d'un jugement ou d'un jugement conditionnel de (nom du tribunal) en date du 19 , il est enjoint au débiteur d'effectuer:
   - ☐ le versement d'un montant forfaitaire de $, à (nom du bénéficiaire)
   - ☐ des versements périodiques à titre d'aliments, d'un montant de $ par , à compter du 19 , à (nom du bénéficiaire)
   - ☐ le versement à titre de dépens d'une somme de $ à (nom du bénéficiaire)
   - ☐ autres (préciser)

3. L'ordonnance, le jugement ou le jugement conditionnel visé au paragraphe 2 est encore en vigueur et n'a pas été modifié, suspendu ou payé.

4. À ce jour, il est dû une somme de:
   - ☐ $ à titre d'arriérés;
   - ☐ $ à titre de dépens;
   - ☐ $ à titre d'intérêts moratoires postérieurs au jugement calculés au taux annuel de pour cent sur les arriérés et les dépens.
   - ☐ autres (préciser)

5. Je demande qu'un avis de saisie-arrêt soit délivré à (nom du tiers saisi) domicilié(e) ou qui exerce ses activités commerciales en Ontario au (adresse du tiers saisi) J'ai des motifs raisonnables et probables de croire et je crois en fait que (nom du tiers saisi) doit au débiteur:

(cocher une case ou plus ci-dessous, selon le cas)

- ☐ un montant forfaitaire
  - ☐ de $
  - ☐ que je ne puis déterminer
- ☐ des versements périodiques
  - ☐ de $
  - ☐ que je ne puis déterminer

payable(s) le (jours ou dates fixes des versements périodiques)
à titre de (indiquer la nature des versements, à savoir gages, salaires, prestations de retraite ou autres).

de _____

_____

adresse

(Dans le cas d'exécution d'une ordonnance portant versement d'un montant forfaitaire, d'arriérés, de dépens ou d'intérêts et dans le cas de versements périodiques dus au débiteur par le tiers saisi, indiquer le mode choisi pour le remboursement de votre créance à même ces versements. Indiquer en outre, dans votre plan de remboursement, la date du paiement qui marquera l'extinction par le débiteur de la dette à l'origine de l'ordonnance précitée. Pour le cas où le tiers saisi est l'employeur du débiteur, il importe de vous signaler l'article 7 de la Loi sur les salaires de l'Ontario, qui prévoit que 50% du salaire brut échu au débiteur est insaisissable, sauf si vous-même ou le débiteur obtenez de ce tribunal une ordonnance visant une augmentation ou une diminution de ce pourcentage. L'avis de saisie-arrêt est valide pour une période de six ans à compter de sa signification au tiers saisi.)

6. *(Si vous désirez qu'un avis de saisie-arrêt soit délivré à plusieurs tiers saisis, fournir les renseignements concernant chacun d'eux en vous inspirant de la formule proposée au paragraphe 4 précité).*

Déclaré sous serment
(ou affirmé solennellement) à _____ *de* _____

dans le _____ *de* _____

le _____ _____ , 19 ___ . _____

Commissaire, etc.

_____

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

REMARQUE: *Vous devez annexer à la présente demande:*

(a) une copie de l'ordonnance, du jugement ou du jugement conditionnel;
(b) si les dépens ont été adjugés séparément, une copie du certificat de liquidation des dépens;
(c) si une ordonnance a été rendue en vertu de l'article 7 de la Loi sur les salaires qui augmente ou diminue le pourcentage de 50% insaisissable, une copie de cette ordonnance.

O. Reg. 808/84, s. 31, *part*; O. Reg. 387/87, s. 7, *revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Garnishment

Form 55 | Court file no.

at .....

.....
(address)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

To .....
(full name of garnishee)

.....
(address - street & number, municipality, postal code)

AN ORDER has been filed with this court requiring the debtor to pay money to the creditor. The creditor claims that you owe or will owe a debt to the debtor. The creditor has had this notice of garnishment directed to you as garnishee in order to seize any debt that you owe or will owe to the debtor.

(check off one or both boxes below, as appropriate)

☐ The creditor claims that you owe or will owe the debtor a lump sum.

YOU ARE COMMANDED TO PAY to the clerk of the court:

a) within ten days after service of this notice upon you, all debts owing by you to the debtor, and

b) within ten days after the debt becomes payable, all debts due from you to the debtor for a period of six years after service of this notice upon you.

The total amount of all payments is not to exceed: $.....
(insert total amount claimed by creditor)

☐ The creditor claims that you owe or will owe the debtor a salary, a pension or other periodic debt.

YOU ARE COMMANDED TO DEDUCT, for a period of six years after service of this notice upon you, from all wages, pension payments or any other periodic debt payments due from you to the debtor:

a) to meet the periodic payments of the order filed with this court, the sum of $ ..... each

..... beginning on ....., 19.....,
(month, week, etc.) *(date)*
and continuing until further order of the court, and

b) to pay off any lump sum, arrears, court costs and interest, the further sum of $..... each

..... beginning on ....., 19.....,
(month, week, etc.) *(date)*

and continuing until ....., 19....., or until further order of the court,
(date)

and to pay these amounts to the clerk of the court within ten days after the wages, pension payments or other periodic debt becomes payable by you to the debtor.

If a) you dispute, for whatever reason, the claim that you owe or will owe a debt to the debtor, or

b) you owe or will owe the debtor less than the amount that he/she is alleged to owe to the creditor, or

c) you have a defence or a right of set-off against the debtor,

you must, within ten days after service of this notice on you, pay to the clerk of the court whatever amount that you admit to be owing or accruing due to the debtor, and you must, at the same time, serve on the creditor and file with the clerk of the court a dispute in Form 58 accompanying this notice. If the dispute form is missing, you should contact your own lawyer or the court office.

at .....

.....
(address)

IF YOU FAIL TO OBEY THIS NOTICE, THE COURT MAY MAKE AND ENFORCE AN ORDER AGAINST YOU for the amount unpaid and the court costs incurred by the creditor.

IF YOU MAKE PAYMENT TO ANYONE OTHER THAN THE CLERK OF THE COURT AFTER SERVICE OF THIS NOTICE ON YOU, YOU MAY BE LIABLE TO PAY AGAIN.

TO ALL PARTIES:

The payments owing are for support or maintenance. Accordingly, where the garnishee is the debtor's employer, section 7 of Ontario's *Wages Act* states that fifty per cent of any wages due to an employee is **EXEMPT** from garnishment or seizure. This exempt portion may be increased or decreased by an order of the court. If a copy of such an order of the court is attached to this notice, the garnishee must comply with the percentage of the exemption stated in that order.

The *Creditor's Relief Act* states that support or maintenance orders have priority over other judgment debts, regardless of when an enforcement process is issued or served. Where the support or maintenance order is for a lump sum payment, the priority is for the amount of the lump sum. Where the order is for periodic payments, the priority is for an amount up to one year's support or maintenance at the rate current when this notice of garnishment is served on you.

Support or maintenance orders rank equally with one another.

If the debtor disputes for any reason that this notice of garnishment is correct or that support or maintenance is payable, he or she must, within ten days after service of this notice, serve on the creditor a dispute in Form 57 accompanying this notice and file it, with proof of service, with the clerk of the court. If the dispute form is missing, the debtor should contact his or her own lawyer or the court office.

Where the garnishee or the debtor files a dispute, or where the garnishee does not make the payment required by this notice, the clerk of the court will issue a notice of garnishment hearing in Form 59 for a hearing before the court to determine the rights of the parties.

Where there is a material change in the circumstances of the debtor or of the creditor, a motion may be made to the court to vary or to suspend any term of the garnishment.

....
Date *Clerk of the court*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis de saisie-arrêt

Formule 55

N° de dossier de la cour :

à _____

_____

adresse

Créancier

Nom et prénom
Domicile élu (numéro et rue, municipalité, code postal)

Débiteur

Nom et prénom
Domicile élu (numéro et rue, municipalité, code postal)

À (nom et prénom du tiers saisi)
(adresse – numéro et rue, municipalité, province, pays, code postal)

UNE ORDONNANCE a été déposée auprès de ce tribunal, portant que le débiteur paie une somme d'argent au créancier. Le créancier prétend que vous êtes ou que vous serez redevable d'une dette au débiteur. Le créancier vous a fait adresser le présent avis de saisie-arrêt en votre qualité de tiers saisi en vue de saisir la dette dont vous êtes ou serez redevable au débiteur.

Cochez une ou les deux cases ci-dessous, si cela s'impose

☐ *Le créancier prétend que vous êtes ou serez redevable au débiteur d'une somme globale.*
IL VOUS EST ENJOINT de verser au greffier de la cour:
a) *dans les dix jours de la signification qui vous est faite du présent avis, toutes les sommes dont vous êtes redevable au débiteur, et*
b) *dans les dix jours qui suivent la date à laquelle elles deviennent exigibles, toutes les sommes dont vous deviendrez redevable au débiteur dans les six ans qui suivent la signification qui vous est faite du présent avis.*
La somme totale des paiements ne peut dépasser (inscrire le montant total demandé par le créancier) $

☐ *Le créancier prétend que vous êtes ou serez redevable au débiteur, d'un salaire, de prestations de retraite ou d'autres sommes payables périodiquement.*
Au cours des six ans qui suivent la signification qui vous est faite du présent avis, IL VOUS EST ENJOINT DE DÉDUIRE des salaires, des prestations de retraite ou d'autres paiements périodiques dont vous serez redevable au débiteur:
a) *la somme de* $, *sous forme de versements périodiques, en comformité avec l'ordonnance déposée auprès de ce tribunal, chaque (mois, semaine, etc.)* *à partir du (date)* , 19 , *jusqu'au (date)* , 19 , *ou jusqu'à nouvel ordre du tribunal,*
b) *de verser une somme supplémentaire de* $ *relative à un paiement forfaitaire, à l'arriéré, aux dépens et intérêts chaque (mois. semaine, etc.)* *à partir du (date)* , 19 , *jusqu'au (date)* , 19 , *ou jusqu'à nouvel ordre de la cour.*
et de verser ces montants au greffier de la cour dans les dix jours où vous êtes redevable au débiteur du salaire, des prestations de retraite ou d'autres versements périodiques.

Si, a) pour quelque motif, vous contestez que vous êtes ou serez redevable des sommes d'argent au débiteur,
b) vous êtes ou serez redevable au débiteur d'une somme d'argent inférieure à celle que celui-ci est censé devoir au créancier,
c) vous pourrez soulever une défense ou un droit de compensation à l'encontre du débiteur,
*vous devez, dans les dix jours de la signification qui vous est faite du présent avis, verser au greffier de la cour, la somme d'argent dont vous reconnaissez être redevable au débiteur ou que vous reconnaissez lui être échue. Vous devez, par la même occasion, signifier au créancier et déposer auprès du greffier de la cour, la contestation selon la formule **58** qui accompagne le présent avis. S'il n'est pas annexé de formule de contestation, vous pouvez communiquer avec votre avocat ou le greffier de la cour.*

à _____

_____
adresse

À DÉFAUT DE VOUS CONFORMER AU PRÉSENT AVIS, LE TRIBUNAL PEUT RENDRE ET EXÉCUTER CONTRE VOUS UNE ORDONNANCE *pour les sommes échues et les dépens, en faveur du créancier.*

SI APRÈS LA SIGNIFICATION QUI VOUS EST FAITE DU PRÉSENT AVIS, VOUS EFFECTUEZ UN PAIEMENT À UNE PERSONNE AUTRE QUE LE GREFFIER DE LA COUR, VOUS POUVEZ ÊTRE TENU DE PAYER DE NOUVEAU.

À TOUTES LES PARTIES:

Les paiements échus ont trait à des aliments. De même, si le tiers saisi est l'employeur du débiteur, l'article 7 de la Loi sur les salaires de l'Ontario prévoit que cinquante pour cent du salaire dû à l'employé est insaisissable. Le tribunal peut rendre une ordonnance portant sur une augmentation ou une diminution de la partie saisissable. Si une copie de cette ordonnance du tribunal est annexée au présent avis, le tiers saisi doit se conformer au pourcentage d'insaisissabilité fixé dans l'ordonnance.

La Loi sur le désintéressement des créanciers prévoit que les ordonnances alimentaires priment les autres créances constatées par jugement, sans égard à la date de délivrance ou de signification du bref d'exécution. Si l'ordonnance prévoit le versement d'une somme globale, celle-ci a la priorité. Si l'ordonnance prévoit le versement de paiements périodiques, la priorité est accordée jusqu'à concurrence d'une somme égale à une année de versements alimentaires au taux en cours lorsque la signification vous est faite du présent avis de saisie-arrêt.

Les ordonnances alimentaires ont toutes même rang.

Le débiteur qui, pour quelque motif, conteste l'exactitude du présent avis de saisie-arrêt ou son obligation de payer des aliments, doit, dans les dix jours de la signification du présent avis, signifier au créancier une contestation selon la formule 57 qui accompagne cet avis et déposer celle-ci auprès du greffier de la cour. S'il n'est pas annexé de formule de contestation, le débiteur communique avec son avocat ou le greffe de la cour.

Si le débiteur ou le tiers saisi dépose une contestation ou si ce dernier n'effectue pas le paiement exigé aux termes du présent avis, le greffier de la cour délivre un avis relatif à l'audience de saisie-arrêt selon la formule 59 en vue d'obtenir une audience devant le tribunal aux fins d'établir les droits des parties.

S'il survient quelque changement important dans la situation du débiteur ou du créancier, il peut être présenté au tribunal une motion en vue d'obtenir la modification ou la suspension d'une condition de la saisie-arrêt.

_____ _____
Date *Greffier de la cour*

O. Reg. 808/84, s. 31, *part*; O. Reg. 94/86, s. 22, *revised.*

Courts of Justice Act

Ontario Court

(Provincial Division)

Notice of Garnishment (Extraprovincial)

Form 56 | Court file no.

at .....

.....

(*address*)

Creditor

Full name
Address for service (*street & number, municipality, province, country, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, province, country, postal code*)

To .....

(*full name of garnishee*)

.....

(*address - street & number, municipality, province, country, postal code*)

A garnishment has been issued by a court outside Ontario to recover support or maintenance payments owed by the debtor to the creditor. In order to enforce that garnishment this court has issued this notice of garnishment against you to seize any debt that you owe or will owe to the debtor.

(check off one or both boxes below, as appropriate)

☐ The creditor claims that you owe or will owe the debtor a lump sum.

YOU ARE COMMANDED TO PAY to the clerk of the court:

a) within ten days after service of this notice upon you, all debts owing by you to the debtor, and

b) within ten days after the debt becomes payable, all debts due from you to the debtor for a period of six years after service of this notice upon you.

The total amount of all payments is not to exceed: $.....

(*insert total amount claimed by creditor*)

☐ The creditor claims that you owe or will owe the debtor a salary, a pension or other periodic debt.

YOU ARE COMMANDED TO DEDUCT, for a period of six years after service of this notice upon you, from all wages, pension payments or any other periodic debt payments due from you to the debtor:

a) to meet the periodic payments enforced by the garnishment filed with this court, the sum of $ ..... each

..... beginning on ....., 19.....,

(*month, week, etc.*) (*date*)

and continuing until further order of the court, and

b) to pay off any lump sum, arrears, court costs and interest enforced by that garnishment, the further sum of $.....

each .....
(*month, week, etc.*)

beginning on ....., 19....., and continuing until
(*date*)

....., 19....., or until further order of the court
(*date*)

and to pay these amounts to the clerk of the court within ten days after the wages, pension payments or other periodic debt becomes payable by you to the debtor.

If a) you dispute, for whatever reason, the claim that you owe or will owe a debt to the debtor, or

b) you owe or will owe the debtor less than the amount that he/she is alleged to owe to the creditor, or

c) you have a defence or a right of set-off against the debtor,

you must, within ten days after service of this notice on you, pay to the clerk of the court whatever amount that you admit to be owing or accruing due to the debtor, and you must, at the same time, serve on the creditor and file with the clerk of the court a dispute in Form 58 accompanying this notice. If the dispute form is missing, you should contact your own lawyer or the court office.

at .....

.....
(*address*)

IF YOU FAIL TO OBEY THIS NOTICE, THE COURT MAY MAKE AND ENFORCE AN ORDER AGAINST YOU for the amount unpaid and the court costs incurred by the creditor.

IF YOU MAKE PAYMENT TO ANYONE OTHER THAN THE CLERK OF THE COURT AFTER SERVICE OF THIS NOTICE ON YOU, YOU MAY BE LIABLE TO PAY AGAIN.

TO ALL PARTIES:

The payments owing are for support or maintenance. Accordingly, where the garnishee is the debtor's employer, section 7 of Ontario's *Wages Act* states that fifty per cent of any wages due to an employee is **EXEMPT** from garnishment or seizure. This exempt portion may be increased or decreased by an order of the court. If a copy of such an order of the court is attached to this notice, the garnishee must comply with the percentage of the exemption stated in that order.

The *Creditor's Relief Act* states that support or maintenance orders have priority over other judgment debts, regardless of when an enforcement process is issued or served. Where the support or maintenance order is for a lump sum payment, the priority is for the amount of the lump sum. Where the order is for periodic payments, the priority is for an amount up to one year's support or maintenance at the rate current when this notice of garnishment is served on you.

Support or maintenance orders rank equally with one another.

If the debtor disputes for any reason that this notice of garnishment is correct or that support or maintenance is payable, he or she must, within ten days after service of this notice, serve on the creditor a dispute in Form 57 accompanying this notice and file it, with proof of service, with the clerk of the court. If the dispute form is missing, the debtor should contact his or her own lawyer or the court office.

Where the garnishee or the debtor files a dispute, or where the garnishee does not make the payment required by this notice, the clerk of the court will issue a notice of garnishment hearing in Form 59 for a hearing before the court to determine the rights of the parties.

Where there is a material change in the circumstances of the debtor or of the creditor, a motion may be made to the court to vary or to suspend any term of the garnishment.

....
Date *Clerk of the court*

Loi sur les tribunaux judiciaires

Cour de l'Ontario
(Division provinciale)

Ontario

Avis de saisie-arrêt
(Extraprovinciale)

Formule 56

N° de dossier de la cour :

à _____

_____
adresse

Créancier

Nom et prénom
Domicile élu (numéro et rue, municipalité, code postal)

Débiteur

Nom et prénom
Domicile élu (numéro et rue, municipalité, code postal)

À (nom et prénom(s) du tiers saisi)

(adresse – numéro et rue, municipalité, province, pays, code postal)

Une saisie-arrêt a été délivrée par un tribunal en dehors de l'Ontario, en recouvrement de prestations alimentaires dues par le débiteur au créancier. Dans le but de faire exécuter cette saisie-arrêt, le tribunal a délivré contre vous le présent avis de saisie-arrêt afin de saisir les sommes dont vous êtes ou serez redevable au débiteur.

Cochez une ou les deux cases ci-dessous, si cela s'impose

☐ *Le créancier prétend que vous êtes ou serez redevable au débiteur d'une somme globale.*
IL VOUS EST ENJOINT de verser au greffier de la cour:

a) dans les dix jours de la signification qui vous est faite du présent avis, toutes les sommes dont vous êtes redevable au débiteur, et

b) dans les dix jours qui suivent la date à laquelle elles deviennent exigibles, toutes les sommes dont vous deviendrez redevable au débiteur dans les six ans qui suivent la signification qui vous est faite du présent avis.

La somme totale des paiements ne peut dépasser (inscrire le montant total demandé par le créancier) **$**

☐ *Le créancier prétend que vous êtes ou serez redevable au débiteur, d'un salaire, de prestations de retraite ou d'autres sommes payables périodiquement.*
Au cours des six ans qui suivent la signification qui vous est faite du présent avis, IL VOUS EST ENJOINT DE DÉDUIRE des salaires, des prestations de retraite ou d'autres paiements périodiques dont vous serez redevable au débiteur:

a) aux fins d'effectuer des paiements périodiques mis à effet aux termes de la saisie-arrêt déposée auprès de la cour, la somme de **$**, *chaque (mois, semaine, etc.)*
à compter du (date) , 19 , *jusqu'au (date)*
19 , *ou jusqu'à ce que le tribunal en ordonne autrement,*

b) aux fins d'acquitter les sommes globales, l'arriéré, les dépens et les intérêts mis à effet aux termes de la saisie-arrêt, la somme supplémentaire de **$**, *chaque (mois, semaine, etc.)*
à compter du (date) ,19 , *jusqu'au (date)*
19 , *ou jusqu'à ce que le tribunal en ordonne autrement, et de verser ces sommes au greffier de la cour dans les dix jours de l'échéance des salaires, prestations de retraite ou autres paiements périodiques dont vous serez redevable au débiteur.*

Si, a) pour quelque motif, vous contestez que vous êtes ou serez redevable des sommes d'argent au débiteur,
b) vous êtes ou serez redevable au débiteur d'une somme d'argent inférieure à celle que celui-ci est censé devoir au créancier,
c) vous pourrez soulever une défense ou un droit de compensation à l'encontre du débiteur,

vous devez, dans les dix jours de la signification qui vous est faite du présent avis, verser au greffier de la cour, la somme d'argent dont vous reconnaissez être redevable ou que vous reconnaissez être échue au débiteur. Vous devez, par la même occasion, signifier au créancier et déposer auprès du greffier de la cour, la contestation selon la formule 58 qui accompagne le présent avis. S'il n'est pas annexé de formule de contestation, vous pouvez communiquer avec votre avocat ou le greffier de la cour.

à _____

_____

adresse

À DÉFAUT DE VOUS CONFORMER AU PRÉSENT AVIS, LE TRIBUNAL PEUT RENDRE ET EXÉCUTER CONTRE VOUS UNE ORDONNANCE pour les sommes échues et les dépens, en faveur du créancier.

SI APRÈS LA SIGNIFICATION QUI VOUS EST FAITE DU PRÉSENT AVIS, VOUS EFFECTUEZ UN PAIEMENT À UNE PERSONNE AUTRE QUE LE GREFFIER DE LA COUR, VOUS POUVEZ ÊTRE TENU DE PAYER DE NOUVEAU.

À TOUTES LES PARTIES:

Les paiements échus ont trait à des aliments. De même, si le tiers saisi est l'employeur du débiteur, l'article 7 de la Loi sur les salaries de l'Ontario prévoit que cinquante pour cent du salaire dû à l'employé est insaissisable. Le tribunal peut rendre une ordonnance portant sur une augmentation ou une diminution de la partie saisissable. Si une copie de cette ordonnance du tribunal est annexée au présent avis, le tiers saisi doit se conformer au pourcentage d'insaisissabilité fixé dans l'ordonnance.

La Loi sur le désintéressement des créanciers prévoit que les ordonnances alimentaires priment les autres créances constatées par jugement, sans égard à la date de délivrance ou de signification du bref d'exécution. Si l'ordonnance prévoit le versement d'une somme globale, celle-ci a la priorité. Si l'ordonnance prévoit le versement de paiements périodiques, la priorité est accordée jusqu'à concurrence d'une somme égale à une année de versements alimentaires au taux en cours lorsque la signification vous est faite du présent avis de saisie-arrêt.

Les ordonnances alimentaires ont toutes même rang.

Le débiteur qui, pour quelque motif, conteste l'exactitude du présent avis de saisie-arrêt ou son obligation de payer des aliments, doit, dans les dix jours de la signification du présent avis, signifier au créancier une contestation selon la formule 57 qui accompagne cet avis et déposer celle-ci auprès du greffier de la cour. S'il n'est pas annexé de formule de contestation, le débiteur communique avec son avocat ou le greffe de la cour.

Si le débiteur ou le tiers saisi dépose une contestation ou si ce dernier n'effectue pas le paiement exigé aux termes du présent avis, le greffier de la cour délivre un avis relatif à l'audience de saisie-arrêt selon la formule 59 en vue d'obtenir une audience devant le tribunal aux fins d'établir les droits des parties.

S'il survient quelque changement important dans la situation du débiteur ou du créancier, il peut être présenté au tribunal une motion en vue d'obtenir la modification ou la suspension d'une condition de la saisie-arrêt.

_____ _____

Date *Greffier de la cour*

O. Reg. 94/86, s. 23, *revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Dispute by Debtor

Form 57

Court file no.

at .....

.....
(address)

Creditor	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

Debtor	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

Garnishee	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

I, ... , the debtor in this proceeding,
(full name)

make oath and say (or affirm): I dispute the notice of garnishment dated .....
(date)

(*State reasons for dispute.*)

Sworn (or affirmed) before me at the ..... of .....

in the ..... of ..... this .....

day of ..... , 19.... .....
A commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Contestation par le débiteur

Formule 57

Numéro du greffe

à _____

_____
adresse

Créancier	**Avocat**
Nom et prénoms	Nom et prénoms
Domicile *(numéro et rue, municipalité, code postal*	Domicile *(numéro et rue, municipalité, code postal)*

Débiteur	**Avocat**
Nom et prénoms	Nom et prénoms
Domicile *(numéro et rue, municipalité, code postal)*	Domicile *(numéro et rue, municipalité, code postal)*

Tiers saisi	**Avocat**
Nom et prénoms	Nom et prénoms
Domicile *(numéro et rue, municipalité, code postal)*	*numéro et rue, municipalité, code postal)*

Je soussigné ..... , le débiteur en l'espèce, déclare sous serment (ou
(nom et prénoms)

affirme solennellement) que je conteste l'avis de saisie-arrêt en date du .....
(date)

(Indiquer les motifs de contestation)

Déclaration faite sous serment (ou affirmé solennellement) en ma présence _____ de _____

_____ de _____

ce _____ jour de _____ 19 ___ .

_____
Commissaire aux affidavits

_____
Signature du débiteur

(La présente formule doit être signée en présence d'un avocat, juge de paix, notaire ou commissaire aux affidavits)

O. Reg. 387/87, s. 8, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Dispute by Garnishee

Form 58 | Court file no.

at .....

.....
(*address*)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Lawyer

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

Lawyer

Full name
Address for service (*street & number, municipality, postal code*)

Garnishee

Full name
Address for service (*street & number, municipality, postal code*)

Lawyer

Full name
Address for service (*street & number, municipality, postal code*)

I am not liable to pay as required by the notice of garnishment dated .....
(*date*)

for the following reasons .....
(*State reasons for not paying*)

☐ I do not owe any money to the debtor at this time because:

- ☐ The debtor has never worked for me.
- ☐ The debtor has worked for me but ceased to work for me on .....
(*date*)
- ☐ I do not hold any money in trust for or to the credit of the debtor.
- ☐ Other .....

☐ I owe money to the debtor but it is not subject to garnishment .....
(*State reasons for legal exemption*)

☐ Other .....

....
Date *Signature of garnishee*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Contestation par le tiers saisi

Formule 58

Numéro du greffe

à _____

_____
adresse

Créancier	**Avocat**
Nom et prénoms	Nom et prénom
Domicile *(numéro et rue, municipalité, code postal)*	Domicile *(numéro et rue, municipalité, code postal)*

Débiteur	**Avocat**
Nom et prénoms	Nom et prénoms
Domicile *(numéro et rue, municipalité, code postal)*	Domicile *(numéro et rue, municipalité, code postal)*

Tiers saisi	**Avocat**
Nom et prénoms	Nom et prénoms
Domicile *(numéro et rue, municipalité, code postal)*	Domicile *(numéro et rue, municipalité, code postal)*

Je ne suis pas tenu au paiement requis par l'avis de saisie-arrêt en date du .....
(date)

pour les raisons suivantes *(indiquer ces raisons)* :

☐ Je ne dois pas d'argent au débiteur parce que :

☐ Le débiteur n'a jamais travaillé pour moi.

☐ Le débiteur a cessé de travailler pour moi le .....
(date)

☐ Je ne suis dépositaire d'aucune somme d'argent en fiducie pour le débiteur ou à son crédit.

☐ Autre .....

☐ Je dois de l'argent au débiteur mais cet argent n'est pas susceptible de saisie-arrêt *(indiquer les motifs d'exemption légale)*

☐ Autre .....

_____ _____
Date *Signature du tiers saisi*

O. Reg. 387/87, s. 8, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Garnishment Hearing

Form 59 | Court file no.

at .....

.....
(*address*)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

Garnishee

Full name
Address for service (*street & number, municipality, postal code*)

To the parties

This matter has been placed on the hearing list by the ☐ creditor
☐ debtor

☐ A dispute has been filed by the ☐ debtor
☐ garnishee

☐ No dispute has been filed. The matter has been placed on the hearing list because full payment has not been received.

The court will hold a hearing at .....
(*address, street & number, municipality*)

on ..... at ..... or as soon thereafter as the case can be heard.
(*date*) (*time*)

If you fail to appear at the hearing, an order may be made in your absence and enforced against you.

....
Date *Clerk of the court*

NOTE: Where a dispute has been filed, a copy of the dispute should be attached to this notice. If the dispute is missing, you should contact your own lawyer or the court office.

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis de tiers-saisie ou d'audience de saisie-arrêt

Formule 59

N° de dossier de la cour :

à _____

_____

adresse

Créancier

Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)

Débiteur

Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)

Tiers-saisi

Nom et prénom(s)
Domicile élu (rue & numéro, municipalité, code postal)

Aux parties en cause

La présente affaire a été inscrite sur le rôle d'audiences par le ☐ *créancier* ☐ *débiteur*

☐ *Une contestation a été déposée par le* ☐ *débiteur* ☐ *tiers-saisi*

☐ *Aucune contestation n'a été déposée. L'affaire a été inscrite sur le rôle d'audiences parce que le paiement intégral n'a pas été acquitté.*

Le tribunal tiendra une audience à (adresse, rue et numéro, municipalité)

le (date) *à (heure)*

ou dès que la cause pourra être entendue après les date et heure indiquées.

Si vous ne comparaissez pas à l'audience, la cour pourra rendre une ordonnance en votre absence et la faire exécuter contre vous par voie légale.

_____ _____

Date *Greffier du tribunal*

REMARQUE: *Lorsqu'une contestation a été déposée, une copie de la contestation doit être jointe au présent avis. En cas d'absence de la contestation, veuillez contacter votre avocat ou le greffier du tribunal.*

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court (Provincial Division)

Warrant of Committal

Form 60 | Court file no.

at .....

.....

(address)

To .....

and to all other peace officers in the Province of Ontario,

Whereas I have found that .....

(name)

(check applicable provision)

☐ has failed to pay money ordered to be paid by a court;

or

☐ is in contempt of this court;

And whereas I have ordered that person to be committed to a provincial correctional institution or other secure facility;

(check if applicable)

☐ subject to a condition with which he or she has not complied.

Therefore I command you to take .....

(name)

and convey that person to the nearest provincial correctional institution or other secure facility there to be detained for the term of .....

(not to exceed ninety days)

(check if applicable)

☐ or until the sum of $..... has been paid.

(insert any special terms of warrant here)

This term of committal is to be served consecutively to any other term.

....

Date of signature *Signature of judge*

NOTE: The description of the person to be arrested is endorsed on this warrant.

(*Insert all available information*)

Full Name		Birth Date *(d, m, y)*	Sex
Address		Telephone Number	
Height	Weight	Hair Colour	
Hair Style	Eye Colour	Complexion	
Other Features			

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Mandat d'incarcération

Formule 60

N° de dossier de la cour :

à _____

_____

adresse

À

et à tous les agents de paix de la province de l'Ontario,

Attendu que j'ai constaté que *(nom)*

(cocher la disposition pertinente)

☐ *est en défaut d'acquitter les sommes d'argent que la cour lui a enjoint de payer;*

ou

☐ *s'est rendu(e) coupable d'outrage au tribunal;*

***Et attendu** que j'ai ordonné que cette personne soit placée dans un établissement correctionnel provincial ou dans un autre établissement en milieu fermé*

(cocher si la mention est pertinente)

☐ *sous réserve d'une condition à laquelle elle ne s'est pas conformée.*

***Pour ces motifs, je vous ordonne d'amener** (nom)*

et de conduire cette personne à l'établissement correctionnel provincial ou à l'établissement en milieu fermé le plus rapproché

pour y être détenue pendant une période de (ne doit pas dépasser quatre-vingt-dix jours)

(cocher si la mention est pertinente)

☐ *ou jusqu'à ce que la somme de* *$ ait été acquittée.*

(inscrire ici toute condition particulière du mandat)

Cette période d'incarcération doit être purgée consécutivement à toute autre période.

_____ _____

Date de la délivrance *Signature du juge*

***Remarque:** Le signalement de la personne qui fait l'objet de l'arrestation est inscrit au verso du présent mandat.*

Inscrire tous les renseignements connus

Nom et prénoms				*Date de naissance (j, m, a)*	*Sexe*
Adresse				*Numéro de téléphone*	
Taille	*Poids*	*Couleur des cheveux*	*Coiffure*	*Couleur des yeux*	*Teint*
Autres caractéristiques					

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Notice of Default

Form 61 Court file no.

at .....

.....
(address)

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

To the debtor

The records of this court indicate that you are in default in the amount of $.....

as of ..... under the order of .....
(date) *(court)*

dated .....
(date)

You are required to:

1. file the attached financial statement with the court at .....
(address)
within ten days after service on you of this notice.
2. appear before this court to explain any default that may exist at the date of the hearing on .....
(date)
at ..... or as soon after that time as the case can be heard.
(time)

If you fail to appear as required by this notice, a warrant may be issued for your arrest.
If you fail to satisfy the court that there are no arrears or that you are unable to pay, you may be imprisoned for up to ninety days.

You may also be required to pay the costs of this proceeding.

....
Date *Clerk of the court*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Avis de défaut

Formule 61 | *N° de dossier de la cour :*

à _____

_____

adresse

Créancier

Nom et prénom(s)
Domicile élu (numéro et rue, municipalité, code postal)

Débiteur

Nom et prénom(s)
Domicile élu (numéro et rue, municipalité, code postal)

À l'intention du débiteur

Les dossiers de la cour indiquent un défaut de paiement égal à

au

en contravention de l'ordonnance de (nom de la cour)

datée du

Il vous est enjoint de:

1. *déposer l'état financier ci-annexé auprès de la cour (adresse)*

   dans les dix jours de la signification qui vous est faite du présent avis

2. *vous présenter devant le tribunal pour expliquer les motifs du défaut à la date de votre comparution le*

   (date) *à (heures)*

   ou après cette date, dès que la cause pourra être entendue.

Si vous faites défaut de comparaître, conformément au présent avis, un mandat d'arrestation peut être décerné contre vous.

Si vous n'établissez pas à la satisfaction du tribunal, qu'il n'y a pas d'arriéré ou que vous êtes dans l'impossibilité de payer, vous pouvez être incarcéré pour une période maximale de quatre-vingt-dix jours.

Vous pouvez aussi être requis d'acquitter les frais de l'instance.

_____ _____

Date *Greffier de la cour*

O. Reg. 94/86, s. 24, *revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Recognizance

Form 62 Court file no.

at .....
(address)

Applicant(s)

.....

Respondent(s)

.....

To the Court

I, ...
(name)

of .....
(address)

acknowledge that I am indebted to Her Majesty the Queen in the amount of $..... to be levied from my property under a writ of seizure and sale in favour of Her Majesty the Queen,

☐ if I fail

☐ If .....
(name of person for whom you are a surety)

of ..... fails
(address of person for whom you are a surety)

to abide by any of the conditions set out in the schedule below.

.....
Signature of person giving recognizance

Signed before me at .....
(municipality)

.....
Signature

in the .....
(name of county, district or regional municipality)

on .....
(date)

.....
Name and position (print or type)

Schedule of Conditions

The above recognizance of .....
(name of person giving the recognizance)

shall not be enforceable

☐ if he or she

☐ if ..... abides by the
(name of person for whom person giving the recognizance is a surety)

conditions set out below. The conditions are that .....
(name of person giving the recognizance or person for whom the person giving the recognizance is a surety)

☐ until .....
(date of termination)

☐ until otherwise ordered by this court.

(Attach additional page if necessary, and date and sign it.)

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Engagement

Formule 62 *N° de dossier de la cour :*

à _____

_____
adresse

Requérant(s)

Intimé(s)

À la cour

Je soussigné(e) (nom)
demeurant à (adresse)
atteste que je dois à Sa Majesté la Reine la somme de *$ qu'elle pourra se faire payer à même mes biens*
en vertu d'une ordonnance d'exécution en sa faveur

☐ *si je*
☐ *si (nom de la personne dont vous êtes la caution)*
demeurant à (adresse de la personne pour laquelle vous vous portez caution)

manque à l'une quelconque des conditions énumérées ci-dessous.

_____
Signature de la personne souscrivant à l'engagement

Signé devant moi à (municipalité) _____
Signature

du (de la) (comté, district ou municipalité régionale)

le (date) _____
Nom et fonction (dactylographiés ou en lettres moulées)

Énumération des conditions

L'engagement ci-dessus auquel a souscrit (nom de la personne souscrivant à l'engagement)
ne sera pas exécutoire

☐ *s'il/si elle*
☐ *si (nom de la personne pour laquelle l'auteur de l'engagement se porte caution)*

se conforme aux conditions énumérées ci-dessous, savoir que (nom de la personne souscrivant ou de la personne pour laquelle l'auteur de l'engagement se porte caution)

☐ *Jusqu'au (date d'expiration)* ☐ *jusqu'à la date prescrite par la cour*

(Joindre au besoin une deuxième page, qu'il faudra dater et signer)

O. Reg. 808/84, s. 31, *part, revised.*

Courts of Justice Act

Ontario Court
(Provincial Division)

Bond

Form 63 Court file no.

at .....

.....
(address)

Applicant(s)

.....

.....

Respondent(s)

.....

.....

We, ...
(name of party giving bond)

and .....
(name(s) of person(s) signing as surety)

jointly and severally bind ourselves and our successors to pay to

.....
(name of party to whom bond is given)

the same of $..... if .....
(name of party giving bond)

Check applicable box

☐ removes from Ontario

☐ fails to return to Ontario by .....
(date)

the child(ren) .....
(name(s) of child(ren))

delete if not applicable

☐ This bond is in force until ....., or until further order of the court.
(date)

.....
Date

.... Seal
Witness *Signature of party*

.... Seal
Witness *Signature of surety*

.... Seal
Witness *Signature of surety*

Loi sur les tribunaux judiciaires

Ontario

Cour de l'Ontario (Division provinciale)

Cautionnement

Formule 63

N° de dossier de la cour :

à _____

_____
adresse

Requérant(s)

Intimé(s)

Nous soussignés, ...
(nom du souscripteur du cautionnement)

et .....
(nom(s) de la (des) personne(s) qui signe(nt) à titre de caution(s))

nous engageons solidairement, ainsi que nos ayants droits, à verser à

.....
(nom du bénéficiaire du cautionnement)

la somme de ..... $ *si* .....
(nom du souscripteur du cautionnement)

Cocher la case pertinente

☐ *retire de l'Ontario*

☐ *fait défaut de ramener en Ontario avant* .....
(date)

l'enfant (les enfants) suivant(s) .....
(nom(s) de l'enfant (des enfants))

Biffer les mentions inutiles

☐ *Le présent cautionnement est en vigueur* ☐ *jusqu'au* .....
(date)

☐ *jusqu'à nouvel ordre du tribunal.*

_____
Date

_____ _____ sceau
Témoin *Signature du souscripteur du cautionnement*

_____ _____ sceau
Témoin *Signature à titre de caution*

_____ _____ sceau
Témoin *Signature à titre de caution*

O. Reg. 808/84, s. 31, *part, revised.*

REGULATION 200

RULES OF THE ONTARIO COURT (PROVINCIAL DIVISION) IN PROVINCIAL OFFENCES PROCEEDINGS

1. In these rules, "Act" means the *Provincial Offences Act*. R.R.O. 1980, Reg. 809, r. 1.

2. These rules apply to proceedings under the Act and a word or term in the Act has the same meaning in these rules as it has in the Act. R.R.O. 1980, Reg. 809, r. 2.

3. These rules shall be construed liberally so as to obtain as expeditious a conclusion of every proceeding as is consistent with a just determination of the proceeding. R.R.O. 1980, Reg. 809, r. 3.

4. The following apply to the calculation of a period of time prescribed by the Act, these rules or an order of a court:

1. The time shall be calculated by excluding the first day and including the last day of the period.

2. Where a period of less than six days is prescribed, a Saturday or holiday shall not be reckoned.

3. Where the last day of the period of time falls on a Saturday or a holiday, the day next following that is not a Saturday or a holiday shall be deemed to be the last day of the period.

4. Where the days are expressed to be clear days or where the term "at least" is added, the time shall be calculated by excluding both the first day and the last day of the period. R.R.O. 1980, Reg. 809, r. 4.

5. A notice or document given or delivered by mail shall, unless the contrary is shown, be deemed to be given or delivered on the seventh day following the day on which it was mailed. R.R.O. 1980, Reg. 809, r. 5.

6. For the purpose of proceedings under Part I or II of the Act, the amount of fine set by the court for an offence is such amount as may be set by the Chief Judge of the Ontario Court (Provincial Division). R.R.O. 1980, Reg. 809, r. 6, *revised.*

7.—(1) An application provided for by the Act or these rules shall be commenced by notice of application. R.R.O. 1980, Reg. 809, r. 7 (1), *part, revised.*

(2) A motion provided for by the Act or these rules shall be commenced by notice of motion. R.R.O. 1980, Reg. 809, r. 7 (1), *part, revised.*

(3) There shall be at least three days between the giving of notice of application or notice of motion and the day for hearing the application or motion. R.R.O. 1980, Reg. 809, r. 7 (2), *revised.*

(4) An applicant or moving party shall file notice of application or notice of motion at least two days before the day for hearing the application or motion. R.R.O. 1980, Reg. 809, r. 7 (3), *revised.*

(5) Evidence on an application or motion may be given,

(a) by affidavit;

(b) with the permission of the court, orally; or

(c) in the form of a transcript of the examination of a witness. R.R.O. 1980, Reg. 809, r. 7 (4), *revised.*

(6) Upon the hearing of an application or motion and whether or not other evidence is given on the application or motion, the justice may receive and base his or her decision upon information the justice considers credible or trustworthy in the circumstances. R.R.O. 1980, Reg. 809, r. 7 (5), *revised.*

(7) An application or motion may be heard without notice,

(a) on consent; or

(b) where, having regard to the subject-matter or the circumstances of the application or motion, it would not be unjust to hear the application or motion without notice. R.R.O. 1980, Reg. 809, r. 7 (6), *revised.*

(8) Subrules (2) to (5) do not apply in respect of a motion under section 66 of the Act. R.R.O. 1980, Reg. 809, r. 7 (7), *revised.*

8.—(1) Where a certificate of parking infraction has been issued in respect of a parking infraction under a municipal by-law without a reference to the number of the by-law that creates the offence, the number of the by-law shall be affixed or appended to the certificate when it is filed in the office of the court.

(2) Where a certificate of parking infraction has been issued alleging a parking infraction against the defendant as owner of a vehicle, evidence of the ownership of the vehicle shall be affixed or appended to the certificate when it is filed in the office of the court.

(3) A certificate of parking infraction filed in the office of the court shall be affixed or appended to the filing document approved by the clerk of the court. O. Reg. 519/87, s. 1.

9.—(1) A provincial offences officer who files a certificate of offence in the office of the court shall file with the certificate of offence a certificate control list, in the form that shall be supplied by the clerk of the court, with the certificate recorded on the list. R.R.O. 1980, Reg. 809, r. 8 (1).

(2) A provincial offences officer who files a certificate of parking infraction in the office of the court shall file with it a certificate control list in the form approved by the clerk of the court, with the certificate recorded on the list. O. Reg. 519/87, s. 2 (1), *part.*

(3) A single certificate control list may be filed with as many certificates of offence as can be accounted for on the certificate control list. R.R.O. 1980, Reg. 809, r. 8 (2).

(4) A single certificate control list may be filed with as many certificates of parking infraction as can be accounted for on the certificate control list. O. Reg. 519/87, s. 2 (1), *part.*

(5) The clerk of the court shall endorse on the certificate control list a receipt for the certificates of offence or certificates of parking infraction filed with the certificate control list. O. Reg. 519/87, s. 2 (2).

(6) The clerk of the court shall, on request, give a copy of the receipt to the provincial offences officer who filed the certificate control list. R.R.O. 1980, Reg. 809, r. 8 (4).

10.—(1) A certificate under subsection 18 (2) of the Act purporting to be signed by the clerk of the municipality, or a person designated by the clerk, shall be in Form 149 and shall be included on the filing document approved by the clerk of the court under subrule 8 (3). O. Reg. 148/90, s. 1.

(2) A fascimile signature of the clerk of the municipality, or a person designated by the clerk, is sufficient authentication of the certificate under subsection 18 (2) of the Act. O. Reg. 519/87, s. 3, *part.*

11. The clerk of the court shall not accept for filing a certificate of offence more than seven days after the day on which the offence notice or summons was served unless the time is extended by the court. R.R.O. 1980, Reg. 809, r. 9.

12. The clerk of the court shall endorse the date of filing on every

certificate of offence or certificate of parking infraction filed in the office of the court. O. Reg. 519/87, s. 4.

13.—(1) Upon the delivery of an offence notice or a parking infraction notice with a signed not guilty plea to the office of the court specified in the notice, the clerk of the court shall set a day and time for trial. O. Reg. 519/87, s. 5 (1).

(2) Where a parking infraction notice issued in respect of an alleged parking infraction under a municipal by-law is received under subsection 16 (1) of the Act, the clerk of the court shall give notice of the time and place of the trial to the defendant and the prosecutor as soon as practicable after the prosecutor has filed the certificate of parking infraction in the office of the court, together with the corresponding parking infraction notice. O. Reg. 519/87, s. 5 (2), *part.*

(3) The clerk of the court shall give notice of the trial to the defendant and prosecutor at least seven days before the day set for trail. R.R.O. 1980, Reg. 809, r. 11 (2).

(4) Where a parking infraction is alleged against the defendant as owner of a vehicle, notice of the trial shall be given to the person identified as the holder of the permit, as defined in section 6 of the *Highway Traffic Act*, in the evidence of the ownership of the vehicle affixed or appended to the certificate of parking infraction. O. Reg. 519/87, s. 5 (2), *part.*

(5) A certificate as to the giving of a notice of trial endorsed on the notice of trial by the clerk of the court shall be received in evidence and, in the absence of evidence to the contrary, is proof of the giving of the notice stated in the certificate. R.R.O. 1980, Reg. 809, r. 11 (3).

14.—(1) A defendant who attends at the time and place specified in an offence notice for the purpose of taking steps under subsection 7 (1) of the Act shall give the offence notice to the office of the court specified in the notice. R.R.O. 1980, Reg. 809, r. 12 (1), *revised.*

(2) The court shall give to a defendant a receipt for an offence notice delivered to the court in accordance with subrule (1). R.R.O. 1980, Reg. 809, r. 12 (2).

15. The following matters shall be dealt with only in court:

1. Quashing a proceeding, except under section 9 or 18 of the Act.

2. Amending an information, a certificate of offence or a certificate of parking infraction. O. Reg. 519/87, s. 6.

16. A justice shall not quash a proceeding or amend a certificate of offence in respect of a defendant who is appearing before the justice for the purposes of section 7 of the Act. R.R.O. 1980, Reg. 809, r. 14.

17. Where a defendant appears before a justice under section 7 of the Act and it appears that the certificate of offence has not been filed in the office of the court, the justice may receive the plea of guilty and submissions of the defendant and specify the amount of fine the justice will impose and the time the justice will allow for payment when the certificate of offence is filed and a conviction is entered. R.R.O. 1980, Reg. 809, r. 15.

18. Where a defendant appears before a justice under section 7 of the Act and the justice is of the opinion that the certificate of offence is so defective on its face that it cannot be cured under section 33, 34, 35 or 36 of the Act, the justice shall refuse to accept the plea, shall inform the defendant of the reason for the refusal and shall inform the defendant of the provisions of section 5 of the Act. R.R.O. 1980, Reg. 809, r. 16.

19. Money paid to the office of the court by a defendant who was served with an offence notice shall be refunded to the defendant if the certificate of offence is not filed in the office of the court named therein within seven days after the day on which the offence notice was served or within such extension of time as may be granted by the court. R.R.O. 1980, Reg. 809, r. 17.

20. Where notice is given to the clerk by the prosecutor that the prosecutor does not intend to file a certificate of parking infraction that has been issued in respect of a parking infraction under an Act of the Legislature or under a regulation made under the authority of an Act, the prosecutor shall furnish the clerk with the name and address of the person to whom the parking infraction notice was issued and money paid to the office of the court in respect of the alleged parking infraction shall be refunded to that person. O. Reg. 519/87, s. 7.

21. Every justice shall keep a daily docket, in the form that shall be supplied by the clerk of the court, on which the justice shall record the disposition of every proceeding or matter under Part I or II of the Act dealt with by the justice. R.R.O. 1980, Reg. 809, r. 18.

22.—(1) A justice who,

(a) acting under section 7 of the Act, imposes a fine that is less than the set fine and less than the minimum fine prescribed for the offence by the provision that creates the penalty; or

(b) acting under section 9 of the Act, quashes a proceeding,

shall endorse on the certificate of offence or the information, as the case may be, the decision and reasons. R.R.O. 1980, Reg. 809, r. 19 (1).

(2) A justice who, acting under section 18 of the Act, quashes a proceeding shall endorse on the filing document to which the certificate of parking infraction is affixed or appended the decision and the reasons for the decision. O. Reg. 519/87, s. 8.

(3) In addition to recording the decision on a daily docket, a justice referred to in subrule (1) shall complete a separate report, in the form that shall be supplied by the clerk of the court, of the decision and the reasons for the decision.

(4) A completed report mentioned in subrule (3) forms part of and shall be kept with the records of the court maintained by the clerk of the court. R.R.O. 1980, Reg. 809, r. 19 (2, 3).

23. Upon payment of a fine, the clerk of the court shall, upon request, issue to the defendant a receipt for the payment. R.R.O. 1980, Reg. 809, r. 20.

24.—(1) Where a person is in default of payments of all or part of a fine, the clerk of the court may present to a justice a statement certified by the clerk setting out,

(a) that the person was convicted of an offence prosecuted under the Act;

(b) the amount of the fine imposed, including costs, and the amount unpaid as of the date of the statement;

(c) that no order has been made under clause 69 (4) (a) of the Act prohibiting the issuance of a warrant of committal;

(d) that the court has not received notice of an order made upon appeal relieving against payment of the fine or staying the proceeding;

(e) whether or not an order has been made under clause 69 (2) (a) of the Act to suspend, not renew or not issue a permit, licence, registration or privilege, and, if such an order has been made, the date of the order;

(f) whether or not a direction has been issued under clause 69 (2) (b) of the Act to proceed with civil enforcement, and, if such a direction has been issued, the date of completion of the certificate of default and the date on which the

certificate of default was filed in a court of competent jurisdiction;

(g) that the person has been given fifteen days notice of intent to issue a warrant for committal of the person; and

(h) whether or not the person has appeared in response to the notice of intent or has requested an opportunity to be heard, and, if the person has done so, whether or not the person has been given an extension of time for payment of the fine.

(2) A statement certified by the clerk of the court under subsection (1) is and shall be kept as a record of the court. O. Reg. 651/82, s. 1.

25. A justice who, under subsection 69 (3) of the Act, issues a warrant of committal, shall enter in the records of the court the reasons for the issuance of the warrant. R.R.O. 1980, Reg. 809, r. 21.

26. Where a person is sentenced to a term of imprisonment and a warrant of committal is issued for custody of the person to commence, under subsection 63 (2) of the Act, on a day that is later than the day of sentencing, the clerk of the court, as soon as practicable after the warrant is issued,

(a) shall cause to be given or delivered to the person a notice stating the warrant has been issued and specifying the place where and the time within which the person is to surrender into custody; and

(b) shall deliver the warrant to the individual who is to accept the custody of the person. R.R.O. 1980, Reg. 809, r. 22.

27.—(1) The following oath is prescribed for the purpose of subsection 84 (1) of the Act:

I, ...,
do swear (or solemnly affirm) that I am capable of translating and will translate to the best of my skill and ability from

.....

..... to .....
(name of language) (name of language)

from ..... to .....
(name of language) (name of language)
in this proceeding.

So Help Me God. (Omit this line in an affirmation).

(2) The following oath is prescribed for the purpose of subsection 84 (2) of the Act:

I, ...,
do swear (or solemnly affirm) that I am capable of translating and will translate to the best of my skill and ability from

.....

..... to ..... and
(name of language) (name of language)

from ..... to .....
(name of language) (name of language)
in proceedings under the *Provincial Offences Act.*

So Help Me God. (Omit this line in an affirmation).

R.R.O. 1980, Reg. 809, r. 23.

28. The clerk of the court who receives notice from the clerk of an appeal court that a notice of appeal has been filed shall transmit the order appealed from and transmit or transfer custody of all other material referred to in section 116 of the Act to the clerk of the appeal court within ten days after receiving the notice. R.R.O. 1980, Reg. 809, r. 24.

29. Where a transcript of evidence at trial, including reasons for judgment or sentence, is requested from the clerk of the court for the purpose of an appeal, the clerk,

(a) shall complete and deliver to the person making the request a certificate of preparation of transcript in Form 2 of Regulation 196 of Revised Regulations of Ontario, 1990;

(b) shall ensure that the transcript is prepared with reasonable diligence;

(c) shall obtain and attach to the transcript a certificate by the person who prepared the transcript that it is an accurate transcription of the evidence and reasons recorded at trial; and

(d) shall notify,

(i) the appellant,

(ii) the clerk of the court in which the appeal is taken, and

(iii) if the Crown Attorney is not the appellant or respondent, the Crown Attorney, when the transcript has been completed. R.R.O. 1980, Reg. 809, r. 25.

30. The clerk of the court who receives notice of the decision of an appeal court on an appeal from a decision of the court shall give the notice and any written reasons or endorsement included with the notice to the justice whose decision was appealed from. R.R.O. 1980, Reg. 809, r. 26.

31.—(1) Where, upon an appeal, the appeal court has directed a new trial, upon motion by the prosecutor without notice a justice shall issue a summons to the defendant. R.R.O. 1980, Reg. 809, r. 27 (1), *revised.*

(2) Where a justice issues a summons under subrule (1), the clerk of the court shall, as soon as is practicable, give notice to the prosecutor of the time and place of the trial. R.R.O. 1980, Reg. 809, r. 27 (2).

32.—(1) An affidavit of service of an offence notice or summons shall be in Form 101. R.R.O. 1980, Reg. 809, r. 28 (1).

(2) An affidavit in support of a motion under section 11 or 19 of the Act shall be in Form 102. O. Reg. 519/87, s. 9 (1), *revised.*

(3) A certificate under section 11 or 19 of the Act shall be in Form 103. O. Reg. 519/87, s. 9 (2).

(4) A summons under section 22 of the Act shall be in Form 104.

(5) An information under section 23 of the Act shall be in Form 105.

(6) A summons under section 24 of the Act shall be in Form 106.

(7) A warrant for arrest under section 24 of the Act shall be in Form 107.

(8) A notice of cancellation of summons under section 24 of the Act shall be in Form 108.

(9) A summons under section 39 of the Act shall be in Form 109.

(10) A warrant under subsection 40 (1) of the Act shall be in Form 110.

(11) A warrant under subsection 40 (2) of the Act shall be in Form 111.

(12) A recognizance by witness under section 40 of the Act shall be in Form 112.

(13) A warrant under subsection 40 (10) of the Act shall be in Form 113.

(14) An order under subsection 40 (6) of the Act shall be in Form 114.

(15) An order under section 41 of the Act shall be in Form 115.

(16) A certificate under section 42 of the Act shall be in Form 116.

(17) An order to attend for examination under section 44 of the Act shall be in Form 117.

(18) A warrant to take a defendant into custody under section 44 of the Act shall be in Form 118.

(19) A certificate of execution of a warrant issued under subsection 44 (6) of the Act shall be in Form 119.

(20) A summons under section 51 of the Act shall be in Form 120.

(21) An order of dismissal under section 53 of the Act shall be in Form 121.

(22) A summons to a defendant under section 54 of the Act shall be in Form 122.

(23) A warrant under section 54 of the Act shall be in Form 123.

(24) A warrant under subsection 63 (2) of the Act shall be in Form 124.

(25) A motion under subsection 66 (6) of the Act shall be in Form 125.

(26) An order under subsection 66 (6) of the Act extending time for payment of a fine shall be in Form 126.

(27) A certificate of default under section 68 of the Act shall be in Form 127.

(28) A notice of intent to issue a warrant under section 69 of the Act shall be in Form 128.

(29) A warrant of committal under subsection 69 (3) of the Act shall be in Form 129.

(30) A warrant of committal under subsection 69 (4) of the Act shall be in Form 130.

(31) An undertaking by a defendant to appear shall be in Form 131.

(32) A probation order under section 72 of the Act shall be in Form 132.

(33) A summons to a defendant where a new trial is ordered by an appeal court shall be in Form 133.

(34) A recognizance under subsection 149 (2) of the Act shall be in Form 134.

(35) A recognizance under section 150 of the Act shall be in Form 135.

(36) An order for detention of a defendant under section 150 of the Act shall be in Form 136.

(37) A warrant under section 155 of the Act for the arrest of a defendant shall be in Form 137.

(38) A certificate of arrest under section 155 of the Act shall be in Form 138.

(39) A certificate under subsection 157 (1) of the Act as to failure to comply with a condition of a recognizance shall be in Form 139.

(40) An information to obtain a search warrant under section 158 of the Act shall be in Form 140.

(41) A search warrant under section 158 of the Act shall be in Form 141.

(42) A statement under section 161 of the Act shall be in Form 142.

(43) A warrant remanding,

(a) a witness under subsection 40 (6) of the Act; or

(b) a defendant under subsection 150 (4) of the Act,

shall be in Form 143.

(44) An order for the release of a defendant under subsection 150 (2) of the Act shall be in Form 144.

(45) An order for the release of a person in custody under subsection 40 (9) of the Act shall be in Form 145.

(46) A warrant of committal the form of which is not otherwise specified in these rules shall be in Form 146.

(47) An order the form of which is not otherwise specified in these rules shall be in Form 147.

(48) A recognizance under subsection 149 (3) of the Act shall be in Form 148. R.R.O. 1980, Reg. 809, r. 28 (4-48).

(49) A certificate under subsection 18 (2) of the Act shall be in Form 149. O. Reg. 519/87, s. 9 (3).

Form 101

Courts of Justice Act

AFFIDAVIT OF SERVICE UPON DEFENDANT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ... make

oath and say that on the ..... day of ....., 19.....

(Strike out inapplicable term) I personally served the offence notice/summons issued with the attached certificate of offence upon:
the defendant named in the attached certificate of offence.

the corporate defendant named in the attached certificate of offence by leaving it with
....
(person served) (position)
at .....
(address)

Sworn before me at .....)
) .....
this ..... day of ....., 19.....) (signature)
)
.....) No. ..... Div. .....

R.R.O. 1980, Reg. 809, Form 101, *revised.*

Form 102

Courts of Justice Act

AFFIDAVIT IN SUPPORT OF MOTION UNDER SECTION 11 (OR SECTION 19) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ..., of .....
(address)

..... make oath and say as follows:

1. I was convicted on the ..... day of ....., 19....., of the offence of .....

   ....., contrary to section .....

2. I did not have the opportunity (check appropriate box)

   a. ☐ to dispute the charge

   b. ☐ to appear, or

   c. ☐ to be represented

   at a hearing for the reason that, through no fault of my own, the delivery of a necessary notice or document, namely .....

   .....

   .....
   (fill in details as to why no delivery occurred where the reason is known)

3. My conviction first came to my attention on the ..... day of ....., 19.....

Sworn before me at

.....,

this ..... day of

....., 19..... .....

.....
(Commissioner, etc.)

Note: Section 86 of the *Provincial Offences Act* provides:

Every person who makes an assertion of fact in a statement or entry in a document or form for use under this Act knowing that the assertion is false is guilty of an offence and on conviction is liable to a fine of not more than $2,000.

O. Reg. 519/87, s. 10, *part, revised.*

Form 103

Courts of Justice Act

CERTIFICATE OF STRIKING OUT CONVICTION UNDER SECTION 11 (OR SECTION 19) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

(Copy of Certificate of Offence or Certificate of Parking Infraction)

I certify that the conviction entered on the ..... day of ....., 19....., against the defendant identified, and in respect of the offence described on the certificate of offence (or certificate of parking infraction) duplicated above, was struck out by me on the .....

day of ....., 19....., at .....

.....

.....
Provincial Judge or Justice of the Peace

O. Reg. 519/87, s. 10, *part, revised.*

Form 104

Courts of Justice Act

SUMMONS TO DEFENDANT UNDER SECTION 22 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

You are charged with the following offence:

On the ..... day of ....., 19....., at ....M

Name .....

Address .....

At .....

Did commit the offence of .....

Contrary to ..... section .....

Therefore you are commanded in Her Majesty's name to appear before the Ontario Court (Provincial Division) at .....

..... on the ..... day of ....., 19..... at ....M

at .....
(courtroom)
and to appear thereafter as required by the court in order to be dealt with according to law.

Issued this ..... day of ....., 19.....

.....
Provincial Offences Officer

R.R.O. 1980, Reg. 809, Form 104, *revised.*

Form 105

Courts of Justice Act

INFORMATION UNDER SECTION 23 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

This is the information of .....

of ....., ...
(occupation)

I have reasonable and probable grounds to believe and do believe that ..... on or about
(name)

the ..... day of ....., 19....., at .....
(location)

..... did commit the offence of

.....

contrary to ..... section .....

.....
(signature of informant)

Sworn before me at

.....,

this ..... day of

....., 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 105, *revised.*

Form 106

Courts of Justice Act

SUMMONS UNDER SECTION 24 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To ..... of .....

Whereas you have been charged before me that you, on or about the ..... day of ....., 19..... at .....

did commit the offence of .....

.....

contrary to ....., section ..... Therefore you are commanded in Her Majesty's name to appear before the

Ontario Court (Provincial Division) at ..... on

the ..... day of ....., 19..... at ....M, at ..... and to
(courtroom)

appear thereafter as required by the court in order to be dealt with according to law.

Issued at ..... this ..... day of ....., 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 106, *revised.*

Form 107

Courts of Justice Act

WARRANT FOR ARREST OF DEFENDANT UNDER SECTION 24 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To all police officers in the Province of Ontario:

This warrant is for the arrest of .....,

of ....., ...,
(address) (occupation)
hereinafter called the defendant.

Whereas the defendant has been charged that the defendant, on or about the ..... day of ....., 19.....,

at ..... did commit the offence of .....,

contrary to ..... section .....

And whereas,

(a) the arrest of the defendant is authorized by statute; and

(b) I am satisfied on reasonable and probable grounds that it is necessary in the public interest to issue this warrant for the arrest of the defendant.

Therefore, you are commanded in Her Majesty's name to arrest the defendant and to bring the defendant forthwith before a justice to be dealt with according to law.

Issued at ..... this ..... day of ....., 19.....

.....
Provincial Judge or Justice of the Peace

Note: Subsection 27 (2) of the *Provincial Offences Act* is as follows:

A warrant issued under section 24 remains in force until it is executed and need not be made returnable at any particular time.

R.R.O. 1980, Reg. 809, Form 107, *revised.*

Form 108

Courts of Justice Act

NOTICE OF CANCELLATION OF SUMMONS UNDER SECTION 24 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To ....., of .....

.....

Take notice that the summons issued on the ..... day of 19....., in respect of

(repeat offence described in summons)

has been cancelled and you are no longer required to appear in the Ontario Court (Provincial Division) as indicated therein.

Given at ..... this ..... day of ....., 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 108, *revised.*

Form 109

Courts of Justice Act

SUMMONS TO WITNESS UNDER SECTION 39 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To ....., of .....

Whereas ..... has been charged that the defendant
(defendant)

on or about the ..... day of ....., 19....., at .....

..... did commit the offence of
(municipality)

.....

.....

contrary to ..... section ..... and I am satisfied that you are able to give material evidence in a proceeding in respect to the above-mentioned charge.

Therefore you are commanded to attend before the Ontario Court (Provincial Division) at .....,
(address)

..... on the ..... day of ....., 19..... at ....M.
(courtroom)

(Strike out inapplicable part) to give evidence concerning the above-mentioned charge, and to remain in attendance during the hearing and the hearing as resumed after adjournment from time to time and to bring with you and produce any writing or other thing in your possession or under your control relating to the subject matter of the proceeding, and more particularly the following:

.....

.....

Issued at ..... this ..... day of ....., 19.....

.....
Provincial Judge or Justice of the Peace

NOTE: Subsection 42 (1) of the *Provincial Offences Act* is as follows:

> Every person who, being required by law to attend or remain in attendance at a hearing, fails without lawful excuse to attend or remain in attendance accordingly is guilty of an offence and on conviction is liable to a fine of not more than $2,000, or to imprisonment for a term of not more than thirty days, or to both.

R.R.O. 1980, Reg. 809, Form 109, *revised.*

Form 110

Courts of Justice Act

WARRANT FOR ARREST OF WITNESS UNDER SUBSECTION 40 (1) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To the police officers of the Province of Ontario:

This warrant is issued for arrest of .....

of ....., hereinafter called the witness.

Whereas it has been charged that .....

of ..... on or about the ..... day of ....., 19.....,

at ..... did commit the

offence of .....

(state offence on information or certificate of offence)

And whereas I am satisfied upon evidence under oath that the witness is able to give necessary material evidence in respect of that charge, and that (check appropriate box)

☐ the witness will not attend if a summons is served.

☐ attempts to serve a summons have failed because the witness is evading service.

Therefore you are commanded in Her Majesty's name to arrest and bring the witness immediately before a justice in order to be dealt with according to law.

Issued at .....

this ..... day of .....,

.....
Provincial Judge

19.....

R.R.O. 1980, Reg. 809, Form 110, *revised.*

Form 111

Courts of Justice Act

WARRANT FOR ARREST OF WITNESS UNDER SUBSECTION 40 (2) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To the police officers of the Province of Ontario:

This warrant is issued for the arrest of ..... of ....., hereinafter called the witness.

Whereas it has been charged that ..... of ..... on or about the ..... day of .....,

19....., at ..... did commit the offence of .....

(state offence on information or certificate of offence)

And whereas the witness has been served with a summons requiring the witness to attend at this court in order to give evidence in a proceeding in respect of that charge, and (check appropriate box)

☐ did not attend,

☐ did not remain in attendance.

And whereas it has been established that the witness is able to give material evidence that is necessary.

Therefore you are commanded in Her Majesty's name to arrest and bring the witness immediately before a justice in order to be dealt with according to law.

Issued at .....

this ..... day of .....,

.....
Provincial Judge or
Justice of the Peace

19.....

R.R.O. 1980, Reg. 809, Form 111, *revised.*

Form 112

Courts of Justice Act

RECOGNIZANCE BY WITNESS UNDER SECTION 40 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

Be it remembered that on the ..... day of ....., 19....., the persons named in the following Schedule came before me and severally acknowledged themselves to owe Her Majesty the Queen the amounts set opposite their names, namely:

Witness: .....
(name) (amount - no deposit required)

Address: .....

.....

Surety: .....
(name) (amount - no deposit required)

Address: .....

.....

Surety: .....
(name) (amount - no deposit required)

Address: .....

.....

which may be enforced in the same manner as a judgment of the Ontario Court (General Division) if the witness fails to comply with any of the following conditions:

1. The witness shall attend and shall remain in attendance at the Ontario Court (Provincial Division) at .....
(courtroom)

on the ..... day of ....., 19..... in order to give evidence in a proceeding in respect of the following matter, namely, that ..... on or about the ..... day of ....., 19.....,
(name)

at ..... did commit the offence of ..... contrary to .....

section .....

2. The witness shall remain in attendance during the full course of the hearing as resumed after adjournment from time to time.

(Strike out inapplicable part)

3. The witness shall bring any writing or other thing that the witness has in the witness' possession or under the witness' control relating to the subject matter of the proceeding.

....
(signature of witness) (signature of surety)

.....
(signature of surety)

Taken and acknowledged before me at .....,

this ..... day of ....., 19.....

.....
Provincial Judge or Justice of the Peace

NOTE: Section 154 of the *Provincial Offences Act* is as follows:

138.—(1) The recognizance of a person to appear in a proceeding binds the person and the person's sureties in respect of all appearances required in the proceeding at times and places to which the proceeding is adjourned.

(2) A recognizance is binding in respect of appearances for the offence to which it relates and is not vacated upon the arrest, discharge or conviction of the defendant upon another charge.

(3) The principal to a recognizance is bound for the amount of the recognizance due upon forfeiture.

(4) The principal and each surety to a recognizance are bound, jointly and severally, for the amount of the recognizance due upon forfeiture for non-appearance.

R.R.O. 1980, Reg. 809, Form 112, *revised.*

Form 113

Courts of Justice Act

WARRANT FOR ARREST OF WITNESS UNDER SUBSECTION 40 (10) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To the police officers of the Province of Ontario:

This warrant is issued for the arrest of ..... of ....., hereinafter called the witness.

Whereas it has been charged that ..... of ..... on or about the ..... day of .....,

19....., at ..... did commit the offence of ..... contrary to .....

..... section .....

And whereas the witness was bound by a recognizance to attend in this court in order to give evidence at a proceeding in respect of that charge.

And whereas the witness (check appropriate box)

☐ did not attend

☐ did not remain in attendance

as required in the recognizance.

Therefore you are commanded in Her Majesty's name to arrest and bring the witness before a justice in order to be dealt with according to law.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 113, *revised.*

Form 114

Courts of Justice Act

ORDER FOR DETENTION OF WITNESS UNDER SUBSECTION 40 (6) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

Order in respect to ..... of ....., hereinafter called the witness.

Whereas I am satisfied on the facts set out below that it is necessary to detain the witness in custody in order to ensure the witness' attendance to give evidence.

(set out facts on which decision is based)

Therefore it is ordered that the witness be detained in custody to testify at trial or to have the witness' evidence taken by a commissioner in accordance with an order made under subsection 40 (11) of the *Provincial Offences Act.*

Ordered at .....

this ..... day of ..... , 19.....

.....
Provincial Judge

NOTE: Subsection 40 (8) of the *Provincial Offences Act* is as follows:

> A person who is ordered to be detained in custody under subsection (6) or is not released in fact under subsection (7) shall not be detained in custody for a period longer than ten days.

R.R.O. 1980, Reg. 809, Form 114, *revised.*

Form 115

Courts of Justice Act

ORDER TO BRING A PERSON BEFORE THE ONTARIO COURT (PROVINCIAL DIVISION) UNDER SECTION 41 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To the keeper of .....

.....
(address)

This order is to require that....., a prisoner in your custody, be brought before the Ontario Court (Provincial Division) at .....

.....
(courtroom)

Whereas upon the evidence under oath of ....., I am satisfied that the attendance of the above-named prisoner is necessary to satisfy the ends of justice.

It is hereby ordered, under section 41 of the *Provincial Offences Act*, that the prisoner be brought before the Ontario Court (Provincial Division) at ..... on the ..... day of ....., 19....., and thereafter from day to day as may be necessary,

☐ to stand trial upon the charge(s) of

(check appropriate box) .....

.....

.....

☐ to attend to give evidence in a proceeding to which the *Provincial Offences Act*, applies, namely,

.....

.....

.....
(name of defendant and nature of proceeding)

And you, the said keeper, are hereby commanded to deliver the said prisoner to ..... for the aforesaid purpose.

It is hereby directed that the said prisoner be kept in custody in the common jail of .....

..... in the manner in which accused persons who are remanded from time to time are kept in custody, so long as the prisoner's attendance is required, and that when the prisoner's attendance is no longer required the prisoner be returned to the said prison by a police officer or by such other person or persons who may be named for such purpose by a judge.

Ordered at .....

this ..... day of ....., 19.....

.....
Provincial Judge

R.R.O. 1980, Reg. 809, Form 115, *revised.*

Form 116

Courts of Justice Act

CERTIFICATE OF FAILURE OF DEFENDANT TO ATTEND UNDER SECTION 42 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ..., clerk/justice of the Ontario Court (Provincial Division) at .....

do certify that ..... of ..... was required as the defendant to attend or remain in attendance at a hearing regarding the following charges against the defendant, namely:

(set out counts)

held on the ..... day of ....., 19..... at ..... and that the said defendant,

☐ failed to attend

☐ failed to remain in attendance

Dated at .....

this ..... day of ..... , 19.....

.....
Clerk/Justice of the Peace

R.R.O. 1980, Reg. 809, Form 116, *revised.*

Form 117

Courts of Justice Act

ORDER TO ATTEND FOR EXAMINATION UNDER SECTION 44 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To ..... , of .....:

Whereas you have been charged that you, on the ..... day of ....., 19....., at ..... did commit the offence of ....., contrary to ..... section .....

(Strike out inapplicable numbers) And whereas it is appropriate to make an order under subsection 44 (5) of the *Provincial Offences Act*, for the purposes of subsection (1)/(3)/(4) of the section.

You are ordered to attend at .....

.....
(name and address of place)

or to attend before .....
(name of person)

on the ..... day of ....., 19..... at ....M or within .....
(specify time)

and to submit to an examination to determine whether because of mental disorder you are unable to conduct your defence to the charge before this court.

Ordered at .....

on the ..... day of ..... , 19.....

.....
Provincial Judge

Note to Defendant:

If you fail to attend for examination as required by this order, the court may take steps to compel your attendance.

R.R.O. 1980, Reg. 809, Form 117, *revised.*

Form 118

Courts of Justice Act

WARRANT TO TAKE CUSTODY OF DEFENDANT UNDER SECTION 44 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To all police officers in the Province of Ontario and to ..... of .....
(name of facility)

This warrant is for the taking into custody of ....., of ....., ...

....., hereinafter called the defendant.

Whereas the defendant was ordered to attend at and to submit to an examination in order to determine whether, because of mental disorder, the defendant is unable to conduct his or her defence,

And whereas,

☐ The defendant has, without reasonable excuse, failed or refused to comply with the order, or

☐ I have been satisfied by ....., the person conducting the examination, that it is necessary to issue a warrant under subsection 44 (6) of the *Provincial Offences Act.*

Therefore you are commanded in Her Majesty's name to take the defendant into custody and deliver the defendant forthwith to .....

..... for the purpose of the examination.
(name of facility)

And to ....., of the above-named facility, you are hereby directed to detain the defendant as necessary for the purposes of the examination, but the defendant shall not be detained in custody for more than seven days under this warrant.

This warrant is issued under subsection 44 (6) of the *Provincial Offences Act.*

Issued at .....

this ..... day of ....., 19.....

.....
Provincial Judge

R.R.O. 1980, Reg. 809, Form 118, *revised.*

Form 119

Courts of Justice Act

CERTIFICATE OF EXECUTION OF WARRANT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ... a police officer
(name)

of .....,
(place)

CERTIFY THAT:

1. I took into custody .....
(name)

the defendant named in a warrant issued on the ..... day of ....., 19..... by a provincial judge at

..... under
(location)

subsection 44 (6) of the *Provincial Offences Act.*

2. That I brought the defendant to .....
(name of person or facility)

at ..... on the ..... day of ....., 19.....
(location)

Dated at .....

this ..... day of ..... , 19.....

.....
(signature)

.....
(badge number)

.....
(police force)

R.R.O. 1980, Reg. 809, Form 119, *revised.*

Form 120

Courts of Justice Act

SUMMONS TO REQUIRE DEFENDANT TO ATTEND HEARING IN PERSON UNDER SECTION 51 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To ..... of .....

.....

You are charged that on the ..... day of ..... , 19.....,

at .....

you did commit the offence of .....

.....

.....

contrary to ..... section ..... Therefore you are

commanded in Her Majesty's name to attend *personally* before the Ontario Court (Provincial Division) at .....,

....., on the ..... day of ..... 19.....
(courtroom)

at ..... and to attend thereafter as required by the court in order to be dealt with according to law.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

NOTES:

1. Section 51 of the *Provincial Offences Act* is as follows:

   Although a defendant appears by counsel or agent, the court may order the defendant to attend personally, and, where it appears to be necessary to do so, may issue a summons in the prescribed form.

2. Subsection 42 (1) of the *Provincial Offences Act* is as follows:

   Every person who, being required by law to attend or remain in attendance at a hearing, fails without lawful excuse to attend or remain

in attendance accordingly is guilty of an offence and on conviction is liable to a fine of not more than $2,000 or to imprisonment for a term of not more than thirty days, or to both.

R.R.O. 1980, Reg. 809, Form 120, *revised.*

Form 121

Courts of Justice Act

ORDER OF DISMISSAL UNDER SECTION 53 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

Whereas on the ..... day of ....., 19.....

....., ...
(defendant) (occupation)

appeared as required in the Ontario Court (Provincial Division) at .....

upon the charge that the defendant, on or about the ..... day of ....., 19.....,

at ..... did commit the offence of ..... contrary to ..... section .....

(check appropriate box)

☐ and whereas the prosecutor, having had due notice of the hearing, did not appear

☐ and whereas the prosecutor did not appear at the time and place appointed for the resumption of a hearing which had been adjourned under subsection 53 (1) of the *Provincial Offences Act.*

it is ordered that the charge be dismissed.

Ordered at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

I hereby certify that the above is a true copy of the order of the court.

Dated at .....

this ..... day of ..... , 19.....

.....
Clerk or Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 121, *revised.*

Form 122

Courts of Justice Act

SUMMONS TO DEFENDANT UNDER SECTION 54 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To .....

of .....

Whereas you have been charged before me that you, on or about the ..... day of ....., 19.....,

at ..... did commit the offence of .....

contrary to ..... section .....

And whereas it has been proved by the prosecutor that

(check appropriate box):

☐ you were summonsed to appear,

☐ you were served with a notice of trial under Part I or II of the *Provincial Offences Act*,

☐ an undertaking to appear was given by you,

☐ a recognizance to appear was entered into by you.

And whereas you did not appear in the Ontario Court (Provincial Division) to answer this charge.

Therefore, you are commanded in Her Majesty's name to appear at the Ontario Court (Provincial Division) at .....

..... on the ..... day of ....., 19....., at ..... M,

at ..... and to appear thereafter as required by
(courtroom)
the court in order to be dealt with according to law.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 122, *revised.*

Form 123

Courts of Justice Act

WARRANT FOR ARREST OF DEFENDANT UNDER SECTION 54 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To the police officers of the Province of Ontario:

Whereas it has been charged that ..... of .....

on or about the ..... day of ....., 19.....

at ..... did commit the offence of .....

contrary to ..... section .....,

and (check A or B)

A ☐ The defendant failed to appear in person or by counsel or agent at the time and place appointed for the hearing, and it has been proved by the prosecutor (check appropriate references)

☐ that a summons was served,

☐ that a notice of trial was given under Part I or Part II of the *Provincial Offences Act*,

☐ that an undertaking to appear was given,

☐ that a recognizance to appear was entered into;

B ☐ The defendant did not appear upon resumption of a hearing that had been adjourned.

Therefore you are commanded in Her Majesty's name to arrest the defendant and bring the defendant forthwith before a justice in order to be dealt with according to law.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 123, *revised.*

Form 124

Courts of Justice Act

WARRANT OF COMMITTAL UNDER SUBSECTION 63 (2) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To all police officers in the Province of Ontario and to the keeper of .....
(name and address of correctional institution)

.....

This warrant is for the committal of ..... of ....., hereinafter called the defendant.

Whereas the defendant was convicted in the Ontario Court (Provincial Division) of the ..... of .....

on the ..... day of ....., 19....., of the following offence(s): .....

.....
(number counts)

.....

And whereas the defendant was sentenced to the following terms of imprisonment in respect of those convictions:

Count 1. .....

Count 2. ..... (complete as required)

☐ to be served consecutively with count(s) .....

☐ to be served concurrently with count(s) .....

Count 3. ..... (complete as required)

☐ to be served consecutively with count(s) .....

☐ to be served concurrently with count(s) .....

Count 4. ..... (complete as required)

☐ to be served consecutively with count(s) .....

☐ to be served concurrently with count(s) .....

And whereas I have decided, under the authority of subsection 63 (2) of the *Provincial Offences Act* that imprisonment under this sentence should not commence on the day of sentencing.

Therefore you are commanded in Her Majesty's name to take and convey the defendant safely to the said correctional institution and to deliver the defendant to the keeper thereof, together with this warrant, but

CUSTODY UNDER THIS WARRANT OF COMMITTAL SHALL COMMENCE NOT LATER THAN ..... DAY OF

....., 19..... A DAY WHICH IS NOT LATER THAN THIRTY DAYS AFTER THE DATE ON WHICH THE SENTENCE(S) UNDER THIS WARRANT WAS/WERE PASSED UPON THE DEFENDANT,

and until that date, the defendant may remain at liberty.

The defendant may surrender into custody at any time before that date, and if the defendant does so surrender, the defendant's sentence shall run from the day on which the defendant so comes into custody.

If the defendant does not surrender into custody on or before the ..... day of ....., 19....., you are hereby commanded in Her Majesty's name to arrest the defendant and deliver the defendant together with this warrant, to the keeper of the said correctional institution.

And you, the said keeper, are commanded to receive the defendant into custody in the said correctional institution and to imprison the defendant there for the said term(s).

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 124, *revised.*

Form 125

Courts of Justice Act

MOTION UNDER SUBSECTION 66 (6) OF THE PROVINCIAL OFFENCES ACT FOR EXTENSION OF TIME TO PAY FINE

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

1. I, ...,

of ....., ...
(occupation)

was convicted in Ontario Court (Provincial Division) at ..... on the ..... day of .....,

19....., of the offence of ..... contrary to ....., section ..... and was sentenced to

pay a fine of $..... (including costs).

(Strike out inapplicable word)

2. I was given ..... days/months to pay this fine.

3. I have paid $..... in satisfaction of the above amount.

4. I am unable to pay the fine within the time given for payment for the following reasons: .....

.....

.....

5. I hereby request an extension of time for payment until the ..... day of .....,

19.....

6. I am ..... years of age.

7. I am (check one) ..... employed.

..... unemployed.

8. (check one)

..... This is my first application for an extension.

..... I previously obtained ..... extension(s) of time for payment, the last of which expired/will expire upon the

..... day of ....., 19.....

Dated at .....

this ..... day of ..... , 19.....

.....
(signature)

R.R.O. 1980, Reg. 809, Form 125, *revised.*

Form 126

Courts of Justice Act

ORDER EXTENDING TIME FOR PAYMENT UNDER SECTION 66 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

Upon reading the attached motion of ..... dated

the ..... day of ....., 19....., it is hereby ordered that the time for payment of the fine mentioned therein (check appropriate box)

A ☐ not be extended because

☐ I found that the request for extension was not made in good faith,

☐ I found that any extension would likely be used to evade payment;

B ☐ be extended to the ..... day of ....., 19.....

Ordered at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 126, *revised.*

Form 127

Courts of Justice Act

CERTIFICATE OF DEFAULT UNDER SECTION 68 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ..., clerk of the Ontario Court (Provincial Division) at .....

CERTIFY THAT:

1. On the ..... day of ....., 19..... a fine of $..... (including costs) was imposed on ..... by the court.
2. Payment of the fine is in default.
3. The amount of the fine remaining unpaid is $.....

.....
Clerk

R.R.O. 1980, Reg. 809, Form 127, *revised.*

Form 128

Courts of Justice Act

NOTICE OF INTENT TO ISSUE WARRANT UNDER SECTION 69 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To ....., of .....

.....

On the ..... day of ..... , 19....., you were convicted by the Ontario Court (Provincial Division) at .....

of the offence of .....

contrary to ..... section .....

In respect of that conviction a fine of $..... (including costs) was imposed on you of which $..... is now in default of payment.

Accordingly, the court intends to issue a warrant for your committal to prison should this fine remain unpaid. If you wish an opportunity to be heard with respect to this decision you may attend at the office of the Ontario Court (Provincial Division) at ..... between the hours of ....M and ....M on or before the ..... day of ....., 19.....

Given at .....

this ..... day of ..... , 19.....

.....
Clerk

R.R.O. 1980, Reg. 809, Form 128, *revised.*

Form 129

Courts of Justice Act

WARRANT OF COMMITTAL UNDER SUBSECTION 69 (3) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To all police officers in the Province of Ontario and to the keeper of .....
(name and address of correctional institution)

This warrant is for the committal of ..... of ....., hereinafter called the defendant.

Whereas the defendant was convicted in the Ontario Court (Provincial Division) at ..... on the ..... day of ....., 19....., of the offence of ....., contrary to ..... section ....., and a fine of $..... (including costs) was imposed on the defendant of which $..... remains in default.

And whereas I have made an order for the imprisonment of the defendant under subsection 69 (3) of the *Provincial Offences Act.*

Therefore, you are commanded in Her Majesty's name to take and convey the defendant safely to the said correctional institution and to deliver the defendant to the keeper thereof together with this warrant. And you the said keeper are commanded to receive the defendant into custody in the said correctional institution and to imprison the defendant there in accordance with section 69 of the *Provincial Offences Act*, for ..... days, unless the amount in default is paid, or, where part of the amount in default is paid, for such lesser number of days as is authorized by law.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 129, *revised.*

Form 130

Courts of Justice Act

WARRANT OF COMMITTAL UNDER SUBSECTION 69 (4) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To all police officers in the Province of Ontario and to the keeper of .....
(name and

.....
address of correctional institution)

This warrant is for the committal of ..... of ....., hereinafter called the defendant.

Whereas the defendant was convicted in the Ontario Court (Provincial Division) at .....

on the ..... day of ....., 19....., of the offence of ..... contrary to .....

section .....

And whereas a fine of $..... (including costs) was imposed on the defendant of which $..... remains in default.

And whereas, under subsection 69 (4) of the *Provincial Offences Act* the court ordered that no extension of time for payment be granted and that the defendant be imprisoned in default of payment.

Therefore you are commanded in Her Majesty's name to take the defendant into custody and convey the defendant safely to the said correctional institution and deliver the defendant to the keeper thereof together with this warrant.

And you the said keeper are commanded to receive the defendant into custody in the said correctional institution and to imprison the defendant

there in accordance with section 69 of the *Provincial Offences Act*, for ..... days, unless the amount in default is paid, or where part of the amount in default is paid, for such lesser number of days as is authorized by law.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

NOTE: Subsection 69 (6) of the *Provincial Offences Act* is as follows:

> Any payment made after a warrant is issued under subsection (3) or (4) shall reduce the term by the number of days that is in the same proportion to the number of days in the term as the amount paid bears to the amount in default and no amount offered in part payment of a fine shall be accepted unless it is sufficient to secure reduction of sentence of one day, or a multiple thereof.

R.R.O. 1980, Reg. 809, Form 130, *revised.*

Form 131

Courts of Justice Act

UNDERTAKING TO APPEAR UNDER THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ...

of .....,

understand that I have been charged that, on or about the ..... day of ....., 19....., at .....,

I did commit the offence of ..... contrary to ..... section .....

In order that I may be released from custody, I hereby undertake to appear at the hearing of this charge at the Ontario Court (Provincial Division) at ....., ...
(location) (courtroom)
as required by the court in order to be dealt with according to law.

Dated at .....

this ..... day of ..... , 19.....

.....
(signature of defendant)

.....
(witness to signature of defendant)

R.R.O. 1980, Reg. 809, Form 131, *revised.*

Form 132

Courts of Justice Act

PROBATION ORDER UNDER SECTION 72 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

Whereas ....., hereinafter called the defendant, was convicted of the offence of ..... contrary to ..... section ..... by the Ontario Court (Provincial Division) at ..... on the ..... day of ....., 19....., in a proceeding commenced by information.

And whereas on the ..... day of ....., 19....., the court (check applicable)

☐ suspended the passing of sentence on the defendant and directed the defendant to comply with the conditions set out below.

☐ in addition to ☐ fining the defendant
☐ sentencing the defendant to imprisonment

directed that the defendant comply with the conditions set out below.

☐ imposed upon the defendant a sentence of imprisonment that did not exceed ninety days, ordered that the sentence be served intermittently and directed that the defendant comply with the conditions set out below at all times when the defendant is not in confinement under that sentence.

Now therefore, it is ordered that for the period of ..... commencing (check applicable box)

☐ from the date of this order

☐ from the date of the defendant's release from custody

the defendant shall comply with the following conditions:

1. The defendant shall not commit the same offence or any related or similar offence, or any offence under a statute of Canada or Ontario or any other Province of Canada that is punishable by imprisonment.
2. The defendant shall appear before the court as and when required.
3. The defendant shall notify the court of any change in the defendant's address.

And, in addition, the defendant

[set out and number additional conditions separately]

Ordered at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

I certify that the defendant was given a copy of this probation order on the ..... day of .....,
19.....

☐ by personal service.

☐ by sending it to the defendant by mail to

.....

.....

the defendant's last known address appearing on the records of the court.

.....
Clerk

NOTE: Sections 73 and 75 of the *Provincial Offences Act* are as follows:

73.—(1) A probation order comes into force,

(a) on the date on which the order is made; or

(b) where the defendant is sentenced to imprisonment other than a sentence to be served intermittently, upon the expiration of that sentence.

(2) Subject to section 75, where a defendant who is bound by a probation order is convicted of an offence or is imprisoned in default of payment of a fine, the order continues in force except in so far as the sentence or imprisonment renders it impossible for the defendant to comply for the time being with the order.

75. Where a defendant who is bound by a probation order is convicted of an offence constituting breach of condition of the order and,

(a) the time within which the defendant may appeal or make a motion for leave to appeal against that conviction has expired and the defendant has not taken an appeal or made a motion for leave to appeal;

(b) the defendant has taken an appeal or made a motion for leave to appeal against the conviction and the appeal or motion for leave has been dismissed or abandoned; or

(c) the defendant has given written notice to the court that convicted the defendant that the defendant elects not to appeal,

or where the defendant otherwise wilfully fails or refuses to comply with the order, the defendant is guilty of an offence and upon conviction the court may,

(d) impose a fine of not more than $1,000 or imprisonment for a term of not more than thirty days, or both, and in lieu of or in addition to the penalty, continue the probation order with such changes or additions and for such extended term, not exceeding an additional year, as the court considers reasonable; or

(e) where the justice presiding is the justice who made the original order, in lieu of imposing the penalty under clause (d), revoke the probation order and impose the sentence the passing of which was suspended upon the making of the probation order.

R.R.O. 1980, Reg. 809, Form 132, *revised.*

Form 133

Courts of Justice Act

SUMMONS WHERE NEW TRIAL ORDERED BY APPEAL COURT UNDER THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To .....,

of .....

Whereas you were charged that you on the ..... day of ....., 19....., did commit the offence of

..... contrary to ..... section .....

(Strike out inapplicable words) And whereas you were convicted/acquitted of the said charge on the ..... day of ....., 19.....

And whereas your/the prosecutor's appeal of that conviction/acquittal was allowed on the ..... day of .....,

19....., and a new trial was ordered.

Therefore you are commanded in Her Majesty's name to appear at the Ontario Court (Provincial Division) at ....
(location) (courtroom)

on the ..... day of ....., 19....., and to appear thereafter as required by that court in order to be dealt with according to law.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 133, *revised.*

Form 134

Courts of Justice Act

RECOGNIZANCE ENTERED INTO BEFORE OFFICER IN CHARGE UNDER SUBSECTION 149 (2) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ... of ..... understand that it is alleged that I have committed .....

.....
(set out substance of offence)

In order that I may be released from custody, I acknowledge that I owe ..... (not more than $300, no deposit or sureties are required) to Her Majesty the Queen, which may be collected in the same manner as money owing under a judgment of the Ontario Court (General Division) if I fail to appear as hereinafter required.

I acknowledge that I am required to appear in the Ontario Court (Provincial Division) at .....

.... on the .....
(address) (courtroom)

day of ....., 19....., at ....M and to appear thereafter as required by the court, in order to be dealt with according to law.

Dated at .....

this ..... day of ..... , 19.....

.....
(signature of defendant)

.....
(officer in charge)

.....
(station, etc.)

NOTE:

Section 154 of the *Provincial Offences Act* is as follows:

154.—(1) The recognizance of a person to appear in a proceeding binds the person and the person's sureties in respect of all appearances required in the proceeding at times and places to which the proceeding is adjourned.

(2) A recognizance is binding in respect of appearances for the offence to which it relates and is not vacated upon the arrest, discharge or conviction of the defendant upon another charge.

(3) The principal to a recognizance is bound for the amount of the recognizance due upon forfeiture.

(4) The principal and each surety to a recognizance are bound, jointly and severally, for the amount of the recognizance due upon forfeiture for non-appearance.

R.R.O. 1980, Reg 809, Form 134, *revised.*

Form 135

Courts of Justice Act

RECOGNIZANCE UNDER SECTION 150 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

Be it remembered that on this day the persons named in the following Schedule personally came before me and acknowledged themselves to owe to Her Majesty the Queen jointly and severally the amounts set out below, namely:

		cash deposit	description of other valuable security
Defendant: ..... (name)	..... (amount)	$.....	.....

Address: .....

.....

Surety: ..... $..... .....
(name) (amount)

Address: .....

Surety: ..... $..... .....
(name) (amount)

Address: .....

.....

which may be collected in the same manner as money owing under a judgment of the Ontario Court (General Division) if the defendant fails to comply with the conditions hereunder written.

Taken and acknowledged before me at ..... on the ..... day of .....,

19.....

.....
Provincial Judge or Justice of the Peace

Whereas ....., of ..... hereinafter called the defendant, has been charged that he or she on or about the ..... day of ....., 19....., at ..... did commit the offence of .....

contrary to ..... section .....

Now therefore the condition of this recognizance is that if the defendant appears in Ontario Court (Provincial Division) at .....
(location)

..... on the ..... day of ....., 19.....
(courtroom)

at ....M and appears thereafter as required by the court, (strike where inapplicable) and complies with the following further conditions:

(set out conditions)

this recognizance is void; otherwise, it stands in full force and effect.

....
(signature of defendant) (signature of surety)

.....
(signature of surety)

NOTE: Section 154 of the *Provincial Offences Act* is as follows:

154.—(1) The recognizance of a person to appear in a proceeding binds the person and the person's sureties in respect of all appearances required in the proceeding at times and places to which the proceeding is adjourned.

(2) A recognizance is binding in respect of appearances for the offence to which it relates and is not vacated upon the arrest, discharge or conviction of the defendant upon another charge.

(3) The principal to a recognizance is bound for the amount of the recognizance due upon forfeiture.

(4) The principal and each surety to a recognizance are bound, jointly and severally, for the amount of the recognizance due upon forfeiture for non-appearance.

R.R.O. 1980, Reg. 809, Form 135, *revised.*

Form 136

Courts of Justice Act

ORDER FOR DETENTION OF DEFENDANT UNDER SECTION 150 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

Whereas ..... of .....,

..... , hereinafter called the defendant,
(occupation)

has been charged that the defendant, on or about the ..... day of ....., 19....., at .....

did commit the offence of ..... contrary to ..... section .....

And whereas the prosecutor has shown that the detention of the defendant in custody is necessary to ensure the defendant's appearance in court.

Therefore I order that the defendant be detained in custody until the defendant is dealt with according to law.

Given at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 136, *revised.*

Form 137

Courts of Justice Act

WARRANT FOR ARREST OF DEFENDANT UNDER SECTION 155 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To all police officers in the Province of Ontario:

This warrant is for the arrest of .....,

of ..... , ...
(location) (occupation)
hereinafter called the defendant.

Whereas .....,
(name of surety)

a surety, has applied in writing to be relieved of the surety's obligation under a recognizance dated the ..... day of .....,

19....., by the defendant.

Therefore, you are commanded in Her Majesty's name to arrest the defendant and bring the defendant before a justice so that the defendant may be dealt with under section 150 of the *Provincial Offences Act.*

This warrant is issued under section 155 of the *Provincial Offences Act.*

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

NOTE:

Subsection 155 (2) of the *Provincial Offences Act* is as follows:

When a police officer arrests the defendant under a warrant issued under subsection (1), he or she shall bring the defendant before a justice under section 150 and certify the arrest by certificate in the prescribed form and deliver the certificate to the court.

R.R.O. 1980, Reg. 809, Form 137, *revised.*

Form 138

Courts of Justice Act

CERTIFICATE OF ARREST UNDER SECTION 155 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ..., a police
(name)

officer of .....,
(place)

CERTIFY THAT:

1. I arrested .....
(name)

(Strike out inapplicable term) the defendant named in a warrant issued on the ..... day of .....,

19..... by a provincial judge/justice of the peace of the Ontario Court (Provincial Division) at .....
(location)

under section 155 of the *Provincial Offences Act.*

2. That I brought the defendant before ..... a justice
(name)

at ....., in order that the defendant might be dealt with under section 150 of the *Provincial Offences Act.*

.....
(signature)

.....
(badge number)

.....
(police force)

R.R.O. 1980, Reg 809, Form 138, *revised.*

Form 139

Courts of Justice Act

CERTIFICATE AS TO FAILURE TO COMPLY WITH CONDITION OF RECOGNIZANCE UNDER SECTION 157 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I hereby certify that:

1. ....., the
(name)

person bound by the attached recognizance has failed to comply with a condition of this recognizance in that .....

.....
(state nature of default)

2. The reason for the default is:

.....
(state reason, if known)

.....

3. The ends of justice,

(check appropriate box)

☐ have been defeated
☐ have not been defeated
☐ have been delayed
☐ have not been delayed

by reason of the default.

4. Principal to recognizance:

Name: .....

Address: .....

5. Sureties to recognizance:

Name: .....

Address: .....

Name: .....

Address: .....

Dated at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

NOTE:
This certificate is to be endorsed on a recognizance.

R.R.O. 1980, Reg. 809, Form 139, *revised.*

Form 140

Courts of Justice Act

INFORMATION TO OBTAIN SEARCH WARRANT UNDER SECTION 158 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

This is the information of .....
(name)

of ....., ...
(address) (occupation)

I have reasonable ground to believe and do believe that in a certain building, receptacle, or place, namely, ...

.....,
(building, receptacle or place)

of ....., at .....
(owner) (address)

there are the following thing(s): .....

.....

(check appropriate box)

☐ upon or in respect of which an offence has been or is suspected to have been committed.
☐ that there are reasonable grounds to believe will afford evidence as to the commission of an offence.

And I further say that my grounds for so believing are:

.....

.....

Therefore I request that a search warrant be issued to search the said .....
(building, receptacle, or place)

for the said thing(s).

.....
(signature of informant)

Sworn before me at .....,

this ..... day of ....., 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg 809, Form 140, *revised.*

Form 141

Courts of Justice Act

SEARCH WARRANT UNDER SECTION 158 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To ..... and to the police officers of Ontario.

Whereas, on the information upon oath of ....., I am satisfied that there are reasonable grounds to believe that

.....

.....
(describe things to be searched for)

.....

.....

(check appropriate box)

☐ upon or in respect of which the offence of ..... contrary to ..... section ..... is suspected to have been committed, or

☐ that there is reasonable ground to believe will afford evidence as to the commission of the offence of ..... contrary to ..... section .....

may be found at .....
(building, place, receptacle)

of ..... at .....
(address)

hereinafter called the premises.

This is therefore to authorize you to enter such .....
(name or location of building, receptacle or place)

..... between the hours of 6:00 a.m. and 9:00 p.m. standard time, or

....
(time warrant to be executed)

and to search there for the said things and to seize them and carry them before me or another justice so that they may be dealt with according to the law. This warrant expires on the ..... day of ....., 19....., a day not later than the fifteenth day after its issue.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg 809, Form 141, *revised.*

Form 142

Courts of Justice Act

STATEMENT UNDER SECTION 161 OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

This is the statement of ..... of .....

I have reasonable and probable grounds to believe and do believe that on or about the .....

day of ....., 19....., at .....
(location)

..... of .....
(name)

did .....
(set out facts upon which application for order is made)

And I further believe that the existence of these facts would justify the Ontario Court (Provincial Division) in making the following order:

.....
(describe nature of order sought)

the court being authorized to make this order by ....., section .....

.....
(signature of applicant)

Sworn before me at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 142, *revised.*

Form 143

Courts of Justice Act

WARRANT REMANDING PERSON DETAINED IN CUSTODY UNDER THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To all police officers in the Province of Ontario and to the keeper of .....
(name of correctional institution)

You are commanded to take and convey the person named in the following Schedule who has been remanded to the time mentioned in the Schedule to the said correctional institution.

NAME	REMARKS	REMANDED TO
.....	.....	.....
	.....	.....
	.....	.....

And I command you, the keeper of the said correctional institution to receive the said prisoner into your custody in the said institution and keep the prisoner safely until the day when this remand expires and then to bring the prisoner before the Ontario Court (Provincial Division) at .... to be dealt with according to law, unless you are otherwise ordered before that time.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg. 809, Form 143, *revised.*

Form 144

Courts of Justice Act

ORDER FOR JUDICIAL INTERIM RELEASE OF DEFENDANT UNDER THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

Whereas ....., of ..... hereinafter called the defendant, has been charged that the defendant, on or about the ..... day of ....., 19....., did commit the offence of ....., contrary to ..... section .....

It is ordered that the defendant be released upon the defendant giving or entering into:

(check appropriate box)

☐ an undertaking to appear.

☐ a recognizance without sureties in the amount of $..... with/without conditions but without deposit of money or other valuable security.

☐ a recognizance with one or more sufficient sureties in the amount of $..... with/without conditions but without deposit of money or other valuable security.

☐ a recognizance with the consent of the prosecutor, in the amount of $..... with/without conditions and *upon the defendant* depositing with the justice the sum of $..... in money or other valuable security.

☐ since the defendant is not ordinarily resident in the Province of Ontario, a recognizance with/without one or more sufficient sureties in the amount of $..... with/without conditions, *and upon the defendant depositing* with the justice before whom the defendant enters into the recognizance the sum of $..... in money or other valuable security.

The said conditions being that the defendant shall:

Ordered at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg 809, Form 144, *revised.*

Form 145

Courts of Justice Act

ORDER FOR RELEASE OF PERSON HELD IN CUSTODY UNDER THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To the keeper of the ..... at .....

I hereby direct you to release .....,

detained by you under a ..... dated the ..... day of .....,

19....., if the said ..... is detained by you for no other cause.

Ordered at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg 809, Form 145, *revised.*

Form 146

Courts of Justice Act

GENERAL WARRANT OF COMMITTAL UNDER THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

To all police officers in the Province of Ontario and to the keeper of the .....
(name and address of correctional institution)

.....

This warrant is for the committal of ..... of .....,
hereinafter called the defendant.

Whereas the defendant was convicted in the Ontario Court (Provincial Division) at ..... on the ..... day

....., 19....., of the following offence(s): .....

.....
(number counts)

.....

And whereas the defendant was sentenced to the following terms of imprisonment in respect of those convictions:

Count 1. .....

Count 2. ..... (complete as required)

☐ to be served consecutively with count(s) .....

☐ to be served concurrently with count(s) .....

Count 3. .....

☐ to be served consecutively with count(s) .....

☐ to be served concurrently with count(s) .....

Count 4. .....

☐ to be served consecutively with count(s) .....

☐ to be served concurrently with count(s) .....

Therefore, you are commanded in Her Majesty's name to take and convey the defendant safely to the said correctional institution and to deliver the defendant to the keeper thereof, together with this warrant.

And you, the said keeper, are commanded to receive the defendant into custody in the said correctional institution and to imprison the defendant there for the said terms.

Issued at .....

this ..... day of ..... , 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg 809, Form 146, *revised.*

Form 147

Courts of Justice Act

ORDER UNDER THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

..... PROSECUTOR

AND

..... DEFENDANT

Upon the motion/application of .....

made on the ..... day of ....., 19....., at .....

☐ in the presence of .....

☐ prosecutor/defendant

☐ counsel for prosecutor/defendant

☐ agent for prosecutor/defendant

☐ no one appearing for ..... although duly served with notice

☐ the motion/application being heard without notice

And upon receiving the evidence of ..... and .....
(recite other material considered on motion or application)

And upon hearing the person(s) present,

1. It is ordered that .....

.....

2. And it is further ordered that .....

.....

Ordered at ..... ,

this ..... day of ....., 19.....

.....
Provincial Judge or Justice of the Peace

R.R.O. 1980, Reg 809, Form 147, *revised.*

Form 148

Courts of Justice Act

RECOGNIZANCE ENTERED INTO BY A NON-RESIDENT OF ONTARIO BEFORE OFFICER IN CHARGE UNDER SUBSECTION 149 (3) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I, ... of ....., a person who is not ordinarily resident in Ontario, understand that it is alleged that I have committed the offence of .....

.....

contrary to ..... section .....

In order that I may be released from custody, I acknowledge that I owe ..... (not more than $300 where the defendant is charged under Part I or Part II of the *Provincial Offences Act*; not more than $500 where the defendant is charged under Part III of that Act) which may be collected in the same manner as money owing under a judgment of the Ontario Court (General Division) if I fail to appear as hereinafter required.

And in addition, I have deposited with the officer in charge,

(check appropriate box) ..... (amount) ☐ cash

☐ negotiable security ..... (description)

(The deposit shall be no more than the set-fine for the offence charged, or if there is no set-fine, no more than $300 where the defendant is charged under Part I or II of the Act; no more than $500 where the defendant is charged under Part III of the Act; no sureties are required).

I acknowledge that I am required to appear in the Ontario Court (Provincial Division) at .....

....., on the ..... day of ....., 19....., (courtroom)

at ....M, and to appear thereafter as required by the court, in order to be dealt with according to law.

Dated at .....,

this ..... day of ..... , 19.....

.....
(signature of defendant)

.....
(officer in charge and badge number)

.....
(station, etc.)

NOTE: Section 154 of the *Provincial Offences Act* is as follows:

154.—(1) The recognizance of a person to appear in a proceeding binds the person and the person's sureties in respect of all appearances required in the proceeding at times and places to which the proceeding is adjourned.

(2) A recognizance is binding in respect of appearances for the offence to which it relates and is not vacated upon the arrest, discharge or conviction of the defendant upon another charge.

(3) The principal to a recognizance is bound for the amount of the recognizance due upon forfeiture.

(4) The principal and each surety to a recognizance are bound, jointly and severally, for the amount of the recognizance due upon forfeiture for non-appearance.

R.R.O. 1980, Reg 809, Form 148, *revised.*

Form 149

Courts of Justice Act

CERTIFICATE OF NON–DELIVERY OF FINE PAYMENT AND REQUEST FOR TRIAL UNDER SUBSECTION 18 (2) OF THE PROVINCIAL OFFENCES ACT

ONTARIO COURT (PROVINCIAL DIVISION)
PROVINCE OF ONTARIO

I certify that payment of the set fine in respect of the parking infraction alleged upon the certificate of parking infraction herein has not been made under section 17 and that a request for trial in respect of the alleged parking infraction has not been delivered under subsection 16 (1).

..... (date)

..... (signature)

Clerk of the Corporation of the

..... of

..... (or, a person designated by the Clerk of the said Corporation).

O. Reg. 148/90, s. 2, *revised.*

REGULATION 201

RULES OF THE SMALL CLAIMS COURT

1. The rules for the Small Claims Court in relation to the practice and procedure of the court are those set out in the Schedule. O. Reg. 797/84, s. 1.

SCHEDULE

RULES OF THE SMALL CLAIMS COURT

SUMMARY OF CONTENTS

Rule

1. Interpretation
2. Non-Compliance with the Rules
3. Time
4. Parties under Disability
5. Partners and Sole Proprietorships
6. Forum and Jurisdiction
7. Commencement of Proceedings
8. Service
9. Defence
10. Default Proceedings
11. Amendment
12. Third Party Claim
13. Discovery
14. Pre-Trial Conference
15. Offer to Settle
16. Motions
17. Notice of Trial
18. Trial
19. Evidence at Trial
20. Costs
21. Enforcement of Orders
22. Referee

RULE 1 INTERPRETATION

Definitions

1.01 In these rules,

"court" means the Small Claims Court;

"disability", where used in respect of a person or party, means that the person or party is,

(a) a minor,

(b) mentally incompetent or incapable of managing his or her affairs, whether or not so declared by a court, or

(c) an absentee within the meaning of the *Absentees Act*;

"holiday" means,

(a) any Saturday or Sunday,

(b) New Year's Day,

(c) Good Friday,

(d) Easter Monday,

(e) Victoria Day,

(f) Canada Day,

(g) Civic Holiday,

(h) Labour Day,

(i) Thanksgiving Day,

(j) Remembrance Day,

(k) Christmas Day,

(l) Boxing Day, and

(m) any special holiday proclaimed by the Governor General or the Lieutenant Governor,

and where New Year's Day, Canada Day or Remembrance Day

falls on a Saturday or Sunday, the following Monday is a holiday, and where Christmas Day falls on a Saturday or Sunday, the following Monday and Tuesday are holidays, and where Christmas Day falls on a Friday, the following Monday is a holiday;

"order" includes a judgment. O. Reg. 797/84, r. 1.01.

General Principle

1.02 (1) These rules shall be liberally construed to secure the just, most expeditious and least expensive determination of every proceeding on its merits in accordance with section 25 of the *Courts of Justice Act*.

Matters Not Provided For

(2) Where matters are not provided for in these rules, the practice shall be determined by analogy to them and the court may, at any stage in a proceeding, make any order that is just. O. Reg. 797/84, r. 1.02.

Orders on Terms

1.03 When making an order under these rules, the court may impose such terms and give such directions as are just. O. Reg. 797/84, r. 1.03.

Forms

1.04 (1) The forms prescribed by these rules shall be used where applicable and with such variations as the circumstances require.

General Heading

(2) Every document in a proceeding, except a notice of garnishment and certificate of service, shall have a general heading (Form 1A). O. Reg. 797/84, r. 1.04.

RULE 2 NON-COMPLIANCE WITH THE RULES

Effect of Non-Compliance

2.01 A failure to comply with these rules is an irregularity and does not render a proceeding or a step in a proceeding a nullity, and the court may grant all necessary amendments or other relief, on such terms as are just, to secure the just determination of the real matters in dispute. O. Reg. 797/84, r. 2.01.

Court May Dispense With Compliance

2.02 Where necessary in the interest of justice, the court may waive compliance with any rule at any time. O. Reg. 797/84, r. 2.02.

RULE 3 TIME

Computation

3.01 Where these rules or an order of the court prescribe a period of time for the taking of a step in a proceeding, the time shall be counted by excluding the first day and including the last day of the period, and where the last day of the period of time falls on a holiday, the period shall be deemed to end on the day next following that is not a holiday. O. Reg. 797/84, r. 3.01.

Powers of Court

3.02 (1) The court may lengthen or shorten any time prescribed by these rules or an order, on such terms as are just.

Consent

(2) A time prescribed by these rules for serving or filing a document may be lengthened or shortened by the written consent of the parties. O. Reg. 797/84, r. 3.02.

Court Office Hours

3.03 Court offices shall be open for business between 9.30 a.m. and 4.30 p.m. every day except a holiday but, with the consent of the clerk, an office may be open at any time where urgency requires. O. Reg. 797/84, r. 3.03.

RULE 4 PARTIES UNDER DISABILITY

Plaintiff's Litigation Guardian

4.01 (1) An action by a person under disability shall be commenced or continued by a litigation guardian, subject to subrule (2).

Exception

(2) A minor may sue for any sum not exceeding $500 as if he or she were of full age.

(3) A litigation guardian shall, at the time of filing a claim or as soon as possible thereafter, file with the clerk a consent (Form 4A) in which the litigation guardian,

(a) states the nature of the disability;

(b) sets out his or her relationship, if any, to the person under disability;

(c) states that he or she has no interest in the proceeding adverse to that of the person under disability; and

(d) acknowledges that he or she is aware of his or her liability to pay personally any costs awarded against him or her or against the person under disability. O. Reg. 797/84, r. 4.01.

Defendant's Litigation Guardian

4.02 (1) An action against a person under disability shall be defended by a litigation guardian.

(2) A parent, a person who has the care or lawful custody of a person under disability, or the committee of a person under disability or of his or her estate may act as litigation guardian under subrule (1) by filing with the defence a consent (Form 4B) in which the litigation guardian,

(a) sets out the nature of the disability;

(b) sets out his or her relationship, if any, to the person under disability; and

(c) states that he or she has no interest in the proceeding adverse to that of the person under disability.

(3) Where it appears to the court that a defendant is a person under disability and the defendant does not have a litigation guardian, the court may appoint as litigation guardian for the defendant any person who has no interest in the action adverse to that of the defendant. O. Reg. 797/84, r. 4.02.

Duties of Litigation Guardian

4.03 (1) A litigation guardian shall diligently attend to the interests of the person under disability and take all steps reasonably necessary for the protection of those interests, including the commencement and conduct of a counterclaim or third party claim.

Official Guardian and Public Trustee

(2) The Official Guardian or the Public Trustee may act as litigation guardian without filing the consent required by subrule 4.01 (2) or 4.02 (2). O. Reg. 797/84, r. 4.03.

Power of Court

4.04 The court may at any time remove or replace a litigation guardian. O. Reg. 797/84, r. 4.04.

Setting Aside Judgment, etc.

4.05 Where an action has been brought against a person under disability and the action has not been defended by a litigation guardian, the court may set aside the noting of default or any judgment against the person under disability on such terms as are just, and may set aside any enforcement proceeding which has been taken under a judgment. O. Reg. 797/84, r. 4.05.

Settlement Requires Court's Approval

4.06 No settlement of a claim made by or against a person under disability is binding on the person without the approval of the court. O. Reg. 797/84, r. 4.06.

Money to be Paid into Court

4.07 (1) Any money payable to a person under disability under an order or a settlement shall be paid into court, unless the court orders otherwise, and shall thereafter be paid out or otherwise disposed of as ordered by the court.

(2) Where money is payable to a person under disability under an order or settlement, the court may order that the money shall be payable directly to the person, and payment made under the order discharges the obligation to the extent of the amount paid. O. Reg. 797/84, r. 4.07.

RULE 5 PARTNERSHIPS AND SOLE PROPRIETORSHIPS

Partnerships

5.01 A proceeding by or against two or more persons as partners may be commenced using the firm name of the partnership. O. Reg. 797/84, r. 5.01.

Defence

5.02 Where a proceeding is commenced against a partnership using the firm name, the partnership's defence shall be delivered in the firm name and no person who admits being a partner at any material time may defend the proceeding separately, except with leave of the court. O. Reg. 797/84, r. 5.02.

Notice to Alleged Partner

5.03 (1) In a proceeding against a partnership using the firm name, where a plaintiff seeks an order that will be enforceable personally against a person as a partner, the plaintiff may serve the person with the claim, together with a notice to alleged partner (Form 5A) stating that the person was a partner at a material time specified in the notice. O. Reg. 797/84, r. 5.03 (1); O. Reg. 158/85, s. 1, par. 1.

(2) A person served as provided in subrule (1) shall be deemed to have been a partner at the material time, unless the person defends the proceeding separately denying that the person was a partner at the material time. O. Reg. 797/84, r. 5.03 (2).

Disclosure of Partners

5.04 (1) Where a proceeding is commenced by or against a partnership using the firm name, any other party may serve a notice requiring the partnership to disclose forthwith in writing the names and addresses of all partners constituting the partnership at a time specified in the notice and, where the present address of a partner is unknown, the partnership shall disclose the partner's last known address.

(2) Where a partnership fails to comply with a notice under subrule (1), its claim may be dismissed or the proceeding stayed or its defence may be struck out. O. Reg. 797/84, r. 5.04.

Enforcement of Order

5.05 (1) An order against a partnership using the firm name may be enforced against the property of the partnership.

(2) An order against a partnership using the firm name may also be enforced, where the order or a subsequent order so provides, against any person who was served as provided in rule 5.03 and who,

(a) under that rule, is deemed to have been a partner;

(b) has admitted being a partner; or

(c) has been adjudged to have been a partner,

at the material time.

(3) Where, after an order has been made against a partnership using the firm name, the party obtaining it claims to be entitled to enforce it against any person who was not served as provided in rule 5.03, the party may make a motion to the court for leave to do so, and the court may grant leave if the liability has been determined in such manner as the court directs. O. Reg. 797/84, r. 5.05.

Sole Proprietorships

5.06 (1) Where a person carries on business in a business name other than his or her own name, a proceeding may be commenced by or against the person using the business name.

(2) Rules 5.01 to 5.05 apply, with necessary modifications, to a proceeding by or against a sole proprietor using a business name, as though the sole proprietor were a partner and the business name were the firm name of a partnership. O. Reg. 797/84, r. 5.06.

RULE 6 FORUM AND JURISDICTION

6.01 (1) An action shall be entered and tried,

(a) in the territorial division,

(i) in which the cause of action arose, or

(ii) in which the defendant or, if there are several defendants, in which any one of them resides or carries on business; or

(b) at the court's place of sitting that is nearest to the place where the defendant or, if there are several defendants, where any one of them resides or carries on business. O. Reg. 797/84, r. 6.01.

(2) If the court is satisfied that the balance of convenience substantially favours holding the trial of an action at another place than those described in subrule (1), the court may order that the action be tried at that other place. O. Reg. 754/86, s. 1, par. 1.

6.02 A cause of action shall not be divided into two or more actions for the purpose of bringing it within the court's jurisdiction. O. Reg. 797/84, r. 6.02.

RULE 7 COMMENCEMENT OF PROCEEDINGS

Claim

7.01 (1) An action shall be commenced by filing a claim (Form 7A) with the clerk, together with two copies of the claim for each defendant.

Contents of Claim

(2) A claim shall contain, in concise and non-technical language, the following information:

1. The names of the parties to the proceeding and, where relevant, the capacity in which they sue or are sued.

2. The nature of the claim with reasonable certainty and detail including the date, place and nature of the occurrences on which the claim is based.

3. The amount of the claim and the relief requested.

4. The name, address and telephone number of the solicitor or agent representing the plaintiff or, if the plaintiff is unrepresented, the plaintiff's address and telephone number.

5. The address where the plaintiff believes the defendant may be served. O. Reg. 797/84, r. 7.01 (1, 2).

Where Claim Based on Document

7.02 Where a claim is based in whole or in part on a document, a copy of the document shall be attached to each copy of the claim, unless the document is lost or for some other reason is unavailable, in which case the claim shall state the reason why it is not attached. O. Reg. 797/84, r. 7.02.

Filing

7.03 (1) On receiving the claim, the clerk shall immediately issue it by dating, signing and sealing it and assigning it a court file number.

(2) The original of the claim shall remain in the court file and the copies shall be delivered to the proper person for service on the defendant. O. Reg. 797/84, r. 7.03.

RULE 8 SERVICE

How Claim to be Served

8.01 (1) A claim shall be served personally as provided in rule 8.03 or, where personal service is attempted but cannot be effected, by an alternative to personal service as provided in rule 8.04.

Other Documents

(2) No other document need be served personally or by an alternative to personal service, unless these rules or an order require personal service or an alternative to personal service.

(3) A document that is not required to be served personally or by an alternative to personal service,

(a) shall be served on a party who is represented by a solicitor or agent by serving the solicitor or agent, and service may be effected by mailing a copy of the document to the solicitor or agent; and

(b) may be served on a party who is not represented by a solicitor or agent,

(i) by mailing a copy of the document to the party at the last address for service furnished by the party or, if no such address has been furnished, at the party's last known address, or

(ii) personally or by an alternative to personal service. O. Reg. 797/84, r. 8.01.

Who Makes Service

8.02 (1) A claim shall be served by the bailiff unless the plaintiff is represented by a solicitor, in which case it may be served by the solicitor or someone acting on the solicitor's behalf.

Time for Service

(2) A claim shall be served within six months of the date it is issued but, where a defendant has not been served within that period, the court may at any time extend the time for service. O. Reg. 797/84, r. 8.02.

Personal Service

8.03 Where a document is to be served personally, the service shall be made,

Individual

(a) on an individual, other than a person under disability, by leaving a copy of the document with the individual;

Municipality

(b) on a municipal corporation, by leaving a copy of the document with the chair, mayor, warden or reeve of the municipality, with the clerk or deputy clerk of the municipality or with a solicitor for the municipality;

Corporation

(c) on any other corporation, by leaving a copy of the document with an officer, director or agent of the corporation, or with a person at any place of business of the corporation who appears to be in control or management of the place of business;

Board or Commission

(d) on a board or commission, by leaving a copy of the document with a member or officer of the board or commission;

Person Outside Ontario Carrying on Business in Ontario

(e) on a person outside Ontario who carries on business in Ontario, by leaving a copy of the document with anyone carrying on business in Ontario for the person;

Crown in Right of Canada

(f) on Her Majesty the Queen in right of Canada, in accordance with subsection 23 (3) of the *Crown Liability Act* (Canada);

Crown in Right of Ontario

(g) on Her Majesty the Queen in right of Ontario, in accordance with section 10 of the *Proceedings Against the Crown Act*;

Absentee

(h) on an absentee, by leaving a copy of the document with the absentee's committee, if one has been appointed or, if not, with the Public Trustee;

Minor

(i) on a minor, by leaving a copy of the document with the minor and, where the minor resides with a parent or other person having the care or lawful custody of the minor, by leaving another copy of the document with the parent or other person;

Mental Incompetent so Declared

(j) on a person who has been declared mentally incompetent or

incapable of managing his or her affairs, by leaving a copy of the document with the committee of the person's estate if there is one or, if not, with the committee of the person;

Mental Incompetent not so Declared

(k) on a person who is mentally incompetent or incapable of managing his or her affairs, not so declared,

(i) by leaving with the Public Trustee a copy of the document bearing the name and address of the person, and

(ii) by leaving a copy of the document with the person, except where the Public Trustee is committee of the person's estate and the person is,

(A) a patient or out-patient of a psychiatric facility under the *Mental Health Act*,

(B) a resident of a facility under the *Developmental Services Act*, or

(C) a resident of a home for special care under the *Homes for Special Care Act*,

and the attending physician is of the opinion that leaving a copy with the person would be likely to cause the person serious harm;

Partnership

(l) on a partnership, by leaving a copy of the document with any one or more of the partners or with a person at the principal place of business of the partnership who appears to be in control or management of the place of business; and

Sole Proprietorship

(m) on a sole proprietorship, by leaving a copy of the document with the sole proprietor or with a person at the principal place of business of the sole proprietorship who appears to be in control or management of the place of business. O. Reg. 797/84, r. 8.03.

Alternative to Personal Service

8.04 (1) Where these rules or an order of the court permit service by an alternative to personal service, service shall be made in accordance with this rule. O. Reg. 797/84, r. 8.04 (1).

At Place of Residence

(2) Where an attempt is made to effect personal service at a person's place of residence and for any reason personal service cannot be effected, the document may be served by,

(a) leaving a copy in a sealed envelope addressed to the person at the place of residence with anyone who appears to be an adult member of the same household; and

(b) on the same day or the following day mailing another copy of the document to the person at the place of residence,

and service in this manner is effective on the fifth day after the document is mailed. O. Reg. 797/84, r. 8.04 (2); O. Reg. 158/85, s. 1, par. 2.

Corporation

(3) Where the head office or principal place of business of a corporation or, in the case of an extra-provincial corporation, the attorney for service in Ontario cannot be found at the last address recorded with the Ministry of Consumer and Commercial Relations, service may be made on the corporation by mailing a copy of the document to the corporation or to the attorney for service in Ontario, as the case may be, at that address. O. Reg. 797/84, r. 8.04 (3).

Substituted Service

8.05 Where it is shown that it is impractical to effect prompt service of a claim personally or by an alternative to personal service, the court may allow substituted service. O. Reg. 797/84, r. 8.05.

Service Outside Ontario

8.06 (1) Where the defendant is out of Ontario,

(a) and the plaintiff is represented by a solicitor, service of the claim may be made by the solicitor or someone acting on the solicitor's behalf; and

(b) in all other cases, the clerk may arrange for service of the claim on the defendant.

(2) The court may allow, as costs in an action, the costs reasonably incurred in effecting service of the claim outside Ontario. O. Reg. 797/84, r. 8.06.

Service by Mail

8.07 Where a document is to be served by mail under these rules, it shall be sent by prepaid first class mail and service of the document shall be deemed to have been effected on the fifth day following the date of mailing. O. Reg. 797/84, r. 8.07.

Where Document Does Not Reach Person Served

8.08 Even though a person has been served with a document in accordance with these rules, the person may show on a motion to set aside the consequences of default, for an extension of time or in support of a request for an adjournment, that the document,

(a) did not come to the person's notice; or

(b) came to the person's notice only at some time later than when it was served or is deemed to have been served. O. Reg. 797/84, r. 8.08.

Proof of Service

8.09 The service of a document,

(a) by a bailiff or bailiff's officer, may be proved by a certificate of service (Form 8A) endorsed on a copy of the document served; and

(b) by a person other than a bailiff or bailiff's officer, may be proved by the affidavit of service (Form 8B) of the person effecting the service. O. Reg. 797/84, r. 8.09.

RULE 9 DEFENCE

Defence

9.01 (1) A defendant who wishes to dispute the claim made shall file with the clerk, within twenty days of being served with the claim, a defence (Form 9A) with a copy for every other party.

(2) On receiving the defence, the clerk shall place the original in the court file and mail a copy to the plaintiff and to every other party except the defendant who filed the defence. O. Reg. 797/84, r. 9.01.

Contents of Defence

9.02 A defence shall contain, in concise and non-technical language, the following information:

1. The reasons why the defendant disputes the plaintiff's claim.

2. The name, address and telephone number of the solicitor or agent representing the defendant, or, if the defendant is unrepresented, the defendant's address and telephone number. O. Reg. 797/84, r. 9.02.

Counterclaim

9.03 (1) A defendant may make a counterclaim against the plaintiff,

(a) in the defence; or

(b) by filing a separate counterclaim with the defence.

(2) Rule 10 (Default Proceedings) does not apply to a plaintiff who fails to defend against a counterclaim. O. Reg. 797/84, r. 9.03.

Admission of Liability and Request to Arrange Terms of Payment

9.04 (1) A defendant who admits liability for all or part of the plaintiff's claim but wishes to arrange terms of payment may in the defence admit liability and make a request to arrange terms of payment.

(2) Where a defendant files a defence as described in subrule (1), a referee or other person designated by the court shall fix a time for a hearing.

(3) On the hearing, the referee or other person may make an order (Form 9B) as to terms of payment by the defendant.

(4) If the defendant does not appear at the hearing, the clerk may sign default judgment against the defendant for the part of the claim which has been admitted and shall mail a notice of default judgment (Form 10A) to the defendant immediately. O. Reg. 797/84, r. 9.04 (1-4).

Failure to Make Payments

(5) Unless the referee or other person specifies otherwise in the order as to terms of payment, if the defendant fails to make payment in accordance with the order, the clerk shall sign judgment for the unpaid balance on the filing of an affidavit by the plaintiff swearing to the default and stating the amount paid and the unpaid balance. O. Reg. 797/84, r. 9.04 (5); O. Reg. 754/86, s. 1, par. 3.

RULE 10 DEFAULT PROCEEDINGS

Noting Defendant in Default

10.01 (1) Where a defendant fails to file a defence with the clerk within the prescribed time, the clerk may, when proof is filed that the claim was served within the territorial division, note the defendant in default. O. Reg. 797/84, r. 10.01 (1).

Service Outside Territorial Division

(2) Where all the defendants have been served outside the court's territorial division, the clerk shall not note any defendant in default until it is proved by an affidavit submitted to the clerk, or by evidence presented before the judge, that the action was properly brought in that territorial division. O. Reg. 754/86, s. 1, par. 4.

When Default Judgment Available

10.02 (1) Where a defendant has been noted in default, the clerk may enter judgment in respect of a claim against the defendant for a debt or liquidated demand in money, including interest if claimed in the claim.

(2) Where the plaintiff's claim is of the type referred to in subrule (1) and a defence is filed in respect of part only of the claim, the clerk may enter default judgment in respect of the part of the claim for which no defence was filed.

(3) Entry of judgment under this rule does not affect the plaintiff's right to proceed on the remainder of the claim or against any other defendant for all or part of the claim.

Notice of Default Judgment

(4) Immediately on entering judgment under this rule, the clerk shall mail a notice of default judgment (Form 10A) to the plaintiff and to the defendant at the address at which the claim was served. O. Reg. 797/84, r. 10.02.

Trial when Defendant Noted in Default

10.03 (1) Where a defendant has been noted in default, the plaintiff shall proceed to trial in respect of any claim other than one referred to in subrule 10.02 (1), and the clerk shall, after noting the defendant in default, fix a trial date and send a notice of trial (Form 17A) to the plaintiff and any defendant who has filed a defence.

(2) At the trial, the plaintiff shall not be required to prove liability against a defendant noted in default, but shall prove the amount of the claim. O. Reg. 797/84, r. 10.03.

Consequences of Noting in Default

10.04 (1) A defendant who has been noted in default shall not file a defence or take any other step in the proceeding except the bringing of a motion under subrule 10.05 (1), without leave of the court or the plaintiff's consent.

(2) Despite any other rule, any step in the proceeding may be taken without the consent of a defendant who has been noted in default, and the defendant is not entitled to notice of any step in the proceeding and need not be served with any other document. O. Reg. 797/84, r. 10.04.

Setting Aside Noting of Default or Default Judgment

10.05 (1) On the motion of a party in default, the court may set aside the noting of default or any judgment against the party on such terms as are just.

(2) Where the written consent of the parties is filed, the clerk may set aside the noting of default or the entry of a default judgment. O. Reg. 797/84, r. 10.05.

RULE 11 AMENDMENT

Power of Court

11.01 (1) On motion, at any stage of an action, the court shall grant leave to amend a claim or defence on such terms as are just, unless prejudice would result that could not be compensated for by costs or an adjournment.

Service of Claim on Added Party

(2) A person added as a party shall be served with the claim as amended, except that where the person is added as a party at trial, the court may dispense with service of the claim. O. Reg. 797/84, r. 11.01.

Striking Out or Amending Claim or Defence

11.02 The court may strike out or amend a claim or defence or anything in a claim or defence on the ground that,

(a) it discloses no reasonable cause of action or defence, as the case may be;

(b) it is scandalous, frivolous or vexatious;

(c) it may prejudice, embarrass or delay the fair trial of the action; or

(d) it is otherwise an abuse of the court's process,

and may order the action to be stayed or dismissed or judgment to be entered accordingly or may impose such terms as are just. O. Reg. 797/84, r. 11.02.

RULE 12 THIRD PARTY CLAIM

12.01 (1) Where a defendant wishes to make a claim against a person other than the plaintiff,

(a) arising out of the transaction or occurrence relied upon by the plaintiff; or

(b) related to the plaintiff's claim,

the defendant may file a third party claim (Form 12A), together with two copies for each defendant to the third party claim and a copy for each party to the action.

Issuing Third Party Claim

(2) On receiving the third party claim, the clerk shall immediately issue it by dating, signing and sealing it and assigning it the same court file number as the claim in the action and shall place the original of the third party claim in the court file. O. Reg. 797/84, r. 12.01.

Service of Third Party Claim

12.02 A copy of the third party claim shall be served on every defendant to it in the manner provided in Rule 8 (Service) for service of a claim, and the clerk shall mail a copy of the third party claim to every other party who has filed a claim or defence. O. Reg. 797/84, r. 12.02.

Defence to Third Party Claim

12.03 (1) A party against whom a third party claim is made and who wishes to dispute it shall file with the clerk, within twenty days of service of the third party claim, a defence (Form 9A), together with a copy for each of the other parties to the third party claim and a copy for each party to the action.

(2) On receiving the defence to a third party claim, the clerk shall place the original in the court file and shall mail a copy to each of the other parties to the third party claim and to each party to the action. O. Reg. 797/84, r. 12.03.

Third Party Claim to be Tried with Main Action

12.04 (1) A third party claim shall be tried and disposed of at the trial of the action, unless the court orders otherwise.

Separate Trials or Separate Actions

(2) Where it appears that a third party claim may unduly complicate or delay the trial of the action or cause undue prejudice to a party, the court may order separate trials or direct that the third party claim proceed as a separate action.

(3) Where a defendant in the action alleges by a third party claim that the third party is liable to the defendant for all or part of the plaintiff's claim in the action, the third party may at the trial contest the defendant's liability to the plaintiff. O. Reg. 797/84, r. 12.04.

Rules Apply to Third Party Claims

12.05 These rules apply, with necessary modifications, to a third party claim as if it were a claim and to a defence to a third party claim as if it were a defence to a claim, but where a party against whom a third party claim is made has been noted in default in respect of the third party claim, judgment may only be obtained against the party at trial or on motion to the court. O. Reg. 797/84, r. 12.05.

RULE 13 DISCOVERY

13.01 (1) Except as this rule provides, no discovery is permitted.

(2) The court may on motion, where it is satisfied that the special circumstances of the case make it necessary in the interests of justice, order discovery between the parties on such terms, including terms as to costs, as are just.

(3) Where discovery is to take the form of the examination of a party, the court may give directions as to,

(a) the scope of the examination;

(b) whether it is to be by written questions and answers or by oral examination; and

(c) if it is to be by oral examination, before whom it is to be conducted or recorded.

(4) Where discovery is to take the form of oral examination of a party, the party who made the motion under subrule (2) shall, unless the court orders otherwise, pay the costs of the examination, including the costs of the examiner and all transcription costs, and shall provide copies of the transcript of the examination to the party being examined and to the court as soon as the transcript is available. O. Reg. 797/84, r. 13.01.

RULE 14 PRE-TRIAL CONFERENCES

Request For Pre-Trial Conference

14.01 (1) A party may request a pre-trial conference by filing a request for pre-trial conference (Form 14A) with the clerk.

(2) The court may, before or at the trial, in response to a request for pre-trial conference or on the court's own initiative, direct that a pre-trial conference be held before a judge or another person designated by the court, and the clerk shall fix a time and place for the pre-trial conference and send to each party who has filed a claim or defence a notice of pre-trial conference (Form 14B).

Failure to Attend

(3) The court may impose appropriate sanctions, by way of costs or otherwise, for the failure of a party who has received a notice of pre-trial conference to attend the pre-trial conference.

Where Party Inadequately Prepared

(4) Where a person attends a pre-trial conference but, in the opinion of the judge or designated person hearing the pre-trial conference, is so inadequately prepared as to frustrate the purposes of the pre-trial conference, the court may award costs against that person.

(5) Costs awarded under subrule (3) or (4) shall not exceed $50 unless there are special circumstances.

Fifteen-Day Period

(6) Where an action is not disposed of within fifteen days after the date fixed for a pre-trial conference, the clerk shall, unless the court orders otherwise, fix a date for trial and send to each party who has filed a claim or defence a notice of trial (Form 17A). O. Reg. 797/84, r. 14.01.

Purposes of Pre-Trial Conference

14.02 (1) The purposes of a pre-trial conference are,

(a) to resolve or narrow the issues in an action;

(b) to expedite the disposition of the action;

(c) to facilitate settlement of the action;

(d) to assist the parties in effective preparation for trial; and

(e) to provide full disclosure between the parties of the relevant facts and evidence.

(2) At a pre-trial conference, the parties or their representatives shall openly and frankly discuss the issues involved in the action but, except as otherwise provided or with the consent of the parties, the matters discussed at the pre-trial conference shall not be disclosed. O. Reg. 797/84, r. 14.02.

Recommendations to Parties

14.03 (1) The judge or person designated by a judge may at a pre-trial conference make recommendations to the parties on any matter relating to the conduct of the action in order to fulfil the purposes of a pre-trial conference, including recommendations as to,

(a) the formulation and simplification of issues in the action;

(b) the elimination of claims or defences which appear to be unsupported; and

(c) the admission of facts or documents without further proof.

Orders at Pre-Trial Conference

(2) The judge at a pre-trial conference may make any order relating to the conduct of the action that the court could make, including an order,

(a) for the joinder of parties;

(b) amending a claim or defence under Rule 11;

(c) for discovery under Rule 13;

(d) referring a matter to a referee under Rule 22; and

(e) for costs under subrule 14.01 (3) or (4).

(3) Where a person has been designated by the court to hear a pre-trial conference, a judge, upon the recommendation of the designated person, may make any order that could be made under subrule (2).

(4) The judge or the designated person before whom the pre-trial conference is held may prepare a memorandum of the matters agreed upon by the parties at the pre-trial conference and where such a memorandum is prepared it shall be filed with the clerk. O. Reg. 797/84, r. 14.03.

Judge Not To Preside At Trial

14.04 A judge who conducts a pre-trial conference in an action shall not preside at the trial of the action unless the parties consent in writing. O. Reg. 797/84, r. 14.04.

RULE 15 OFFER TO SETTLE

15.01 A party may serve on any other party an offer to settle a claim on the terms specified in the offer. O. Reg. 797/84, r. 15.01.

Time For Making Offer

15.02 An offer to settle may be made at any time but, where it is made less than seven days before the hearing commences, the costs consequences referred to in rule 15.07 do not apply. O. Reg. 797/84, r. 15.02.

Withdrawal

15.03 (1) An offer to settle may be withdrawn at any time before it is accepted by serving written notice of withdrawal of the offer on the party to whom the offer was made.

Expiry When Court Disposes of Claim

(2) An offer may not be accepted after the court disposes of the claim in respect of which the offer is made. O. Reg. 797/84, r. 15.03.

No Disclosure of Offer to Trial Judge

15.04 Where an offer to settle is not accepted, no communication respecting the offer shall be made to the trial judge until all questions of liability and the relief to be granted, other than costs, have been determined. O. Reg. 797/84, r. 15.04.

Acceptance

15.05 (1) An offer to settle may be accepted by serving an acceptance of the offer on the party who made it at any time before it is withdrawn or the court disposes of the claim in respect of which it is made.

Payment Into Court As Condition

(2) An offer by a plaintiff to settle a claim in return for the payment of money by a defendant may include a term that the defendant pay the money into court and the defendant may accept the offer only by paying the money into court and notifying the plaintiff of the payment.

(3) Where the defendant offers to pay money to the plaintiff in settlement of a claim, the plaintiff may accept the offer with the condition that the defendant pay the money into court and, where the offer is so accepted and the defendant fails to pay the money into court, the plaintiff may proceed as provided in rule 15.06.

Costs

(4) Where an accepted offer to settle does not provide for the disposition of costs, the plaintiff is entitled,

(a) where the offer was made by the defendant, to the defendant's disbursements assessed to the date the plaintiff was served with the offer; or

(b) where the offer was made by the plaintiff, to the plaintiff's disbursements assessed to the date that the notice of acceptance was served. O. Reg. 797/84, r. 15.05.

Failure to Comply With Accepted Offer

15.06 Where a party to an accepted offer to settle fails to comply with the terms of the offer, the other party may,

(a) make a motion to the court for judgment in the terms of the accepted offer, and the court may grant judgment accordingly; or

(b) continue the proceeding as if there had been no offer to settle. O. Reg. 797/84, r. 15.06.

Costs Consequences of Failure to Accept

15.07 (1) Where an offer to settle,

(a) is made by a plaintiff at least seven days before the trial;

(b) is not withdrawn and does not expire before the trial; and

(c) is not accepted by the defendant,

and the plaintiff obtains a judgment as favourable as or more favourable than the terms of the offer to settle, the court may award the plaintiff an amount not exceeding twice the costs of the action.

(2) Where an offer to settle,

(a) is made by a defendant at least seven days before the trial;

(b) is not withdrawn and does not expire before the trial; and

(c) is not accepted by the plaintiff,

and the plaintiff obtains a judgment as favourable as or less favourable than the terms of the offer to settle, the court may award the defendant an amount not exceeding twice the costs awardable to a successful party, from the date the offer was served.

(3) Where an amount is awarded under subrule (1) or (2) to a party who is not represented by another person, the court may also award the party an amount not exceeding $300 as compensation for inconvenience and expense. O. Reg. 797/84, r. 15.07.

RULE 16 MOTIONS

Notice of Motion

16.01 (1) Unless the court orders otherwise, a motion other than a motion at trial shall be commenced by the filing of a notice of motion (Form 16A) and an affidavit (Form 16B).

(2) A copy of the notice of motion and the affidavit shall be served at least seven days before the hearing date on every party who has filed a claim or defence. O. Reg. 797/84, r. 16.01

Costs

16.02 (1) No costs are recoverable in respect of a motion, except that where the court is satisfied that a motion should not have been brought or opposed, or that the motion was necessary because of the default of a party, the court may fix the costs of the motion and order them to be paid immediately. O. Reg. 797/84, r. 16.02 (1); O. Reg. 754/86, s. 1, par. 5.

(2) The costs of a motion fixed by the court under subrule (1) shall not exceed $50 unless there are special circumstances. O. Reg. 797/84, r. 16.02 (2).

RULE 17 NOTICE OF TRIAL

17.01 Where a defence has been filed, the clerk shall, except where a pre-trial conference is to be held under Rule 14, fix a date for trial and send a notice of trial (Form 17A) to each party who has filed a claim or defence. O. Reg. 797/84, r. 17.01.

RULE 18 TRIAL

Failure to Attend

18.01 (1) Where an action is called for trial and all the parties fail to attend, the trial judge may strike the action off the trial list. O. Reg. 797/84, r. 18.01 (1).

(2) Where an action is called for trial and a party fails to attend, the trial judge may,

(a) proceed with the trial in the party's absence;

(b) subject to subrule (3), where the plaintiff attends and the defendant fails to do so, strike out the defence and dismiss the counterclaim, if any, and allow the plaintiff to prove the claim;

(c) where the defendant attends and the plaintiff fails to do so, dismiss the action and allow the defendant to prove the counterclaim, if any; or

(d) make such other order as is just. O. Reg. 797/84, r. 18.01 (2); O. Reg. 754/86, s. 1, par. 6.

(3) In the case described in clause (2) (b), if an issue as to the proper place of trial under subrule 6.01 (1) is raised in the defence, the trial judge shall consider the issue and make a finding.

(4) If the trial judge finds that the territorial division where the judge sits is not the proper place of trial, the action shall be tried in a place described in subclause 6.01 (a) (i) or clause 6.01 (b) (defendant's place of residence or business, etc.), unless the trial judge orders otherwise under subrule 6.01 (2) (balance of convenience). O. Reg. 754/86, s. 1, par. 7.

Setting Aside or Variation of Judgment

(5) The court may set aside or vary, on such terms as are just, a judgment obtained against a party who failed to attend at the trial. O. Reg. 797/84, r. 18.01 (3).

Adjournment

18.02 The court may postpone or adjourn a trial on such terms, including the payment by one party to another of an amount as compensation for inconvenience and expense, as are just. O. Reg. 797/84, r. 18.02.

Inspection

18.03 The trial judge may, in the presence of the parties or their representatives, inspect any place or property concerning which a question arises in the action. O. Reg. 797/84, r. 18.03.

New Trial

18.04 (1) Within thirty days after the trial, a party may make a motion to the court for a new trial.

(2) On the hearing of the motion, the court may,

(a) grant a new trial;

(b) pronounce the judgment that ought to have been given at trial and order judgment to be entered accordingly; or

(c) dismiss the motion. O. Reg. 797/84, r. 18.04.

RULE 19 EVIDENCE AT TRIAL

Affidavit

19.01 At the trial of an undefended action, the plaintiff's case may be proved by affidavit unless the trial judge orders otherwise. O. Reg. 797/84, r. 19.01.

Written Statements and Documents

19.02 (1) A written statement or document described in subrule (2) that has been served on all parties at least fourteen days before the trial date shall be received in evidence, unless the trial judge orders otherwise.

(2) Subrule (1) applies to the following written statements and documents:

1. The signed written statement of any witness, including the written report of an expert, to the extent that the statement relates to facts and opinions to which the witness would be permitted to testify in person.

2. Any other document, including but not limited to a hospital record or medical report made in the course of care and treatment, a financial record, a bill, documentary evidence of loss of income or property damage, and a repair estimate.

Name and Address of Witness or Author

(3) A party who serves on another party a written statement or document described in subrule (2) shall append to or include in the statement or document that is served the name and address for service of the witness or author.

(4) A party who has been served with a written statement or document described in subrule (2) and who wishes to cross-examine the witness or author may summon the witness or author as a witness under subrule 19.03 (1).

Where Witness or Author is Summoned

(5) A party who serves a summons to witness on a witness or author referred to in subrule (3) shall, at the time the summons is served, notify all other parties of the summons. O. Reg. 797/84, r. 19.02.

Summons to Witness

19.03 (1) A party who requires the attendance of a person in Ontario as a witness at a trial may serve the person with a summons to witness (Form 19A) requiring him or her to attend the trial at the time and place stated in the summons, and the summons may also require the person to produce at the trial the documents or other things in his or her possession, control or power relating to the matters in question in the action that are specified in the summons.

(2) A summons to witness shall be served on the witness personally and not by an alternative to personal service and, at the same time, attendance money in accordance with the tariff shall be paid or tendered to the witness.

(3) Service of a summons to witness and the payment or tender of attendance money may be proved by affidavit.

(4) A summons to witness continues to have effect until the attendance of the witness is no longer required.

Failure to Attend or Remain in Attendance

(5) Where a witness whose evidence is material to the conduct of an action fails to attend at the trial or to remain in attendance in accordance with the requirements of a summons to witness served on him or her, the trial judge may, by warrant (Form 19B) directed to all bailiffs and other peace officers in Ontario, cause the witness to be apprehended anywhere within Ontario and promptly brought before the court.

(6) On being apprehended, the witness may be detained in custody until his or her presence is no longer required, or released on such terms as are just, and the witness may be ordered to pay the costs arising out of the failure to attend or remain in attendance.

Abuse of Power to Summon Witness

(7) Where the court is satisfied that a party has abused the power to summon a witness under this rule, the court may order that the party pay directly to the witness an amount as compensation for inconvenience and expense. O. Reg. 797/84, r. 19.03.

RULE 20 COSTS

Disbursements

20.01 (1) A successful party is entitled to be paid his or her disbursements, as assessed by the clerk, by the unsuccessful party unless the court orders otherwise.

(2) The clerk's assessment of disbursements under subrule (1) is subject to review by the court. O. Reg. 797/84, r. 20.01.

Preparation and Filing

20.02 The court may allow a successful party an amount not exceeding $30 for preparation and filing of pleadings. O. Reg. 797/84, r. 20.02.

Counsel Fee

20.03 (1) Where a successful party is represented by a solicitor and the amount claimed exceeds $500, exclusive of interest and costs, the court may allow an amount not exceeding $300 as a counsel fee at trial.

(2) Where a successful party is represented by a student-at-law and the amount claimed exceeds $500, exclusive of interest and costs, the court may allow an amount not exceeding $150 as a counsel fee at trial. O. Reg. 797/84, r. 20.03.

Compensation for Inconvenience and Expense

20.04 Where,

(a) a successful party is not represented by another person;

(b) the amount claimed exceeds $500, exclusive of interest and costs; and

(c) the court is satisfied that the proceeding has been unduly complicated or prolonged by an unsuccessful party,

the court may order that unsuccessful party to pay the successful party an amount not exceeding $300 as compensation for inconvenience and expense. O. Reg. 797/84, r. 20.04.

RULE 21 ENFORCEMENT OF ORDERS

Definitions

21.01 In rules 21.02 to 21.10,

"creditor" means a person who is entitled to enforce an order for the payment or recovery of money;

"debtor" means a person against whom an order for the payment or recovery of money may be enforced. O. Reg. 797/84, r. 21.01.

Power of Court

21.02 The court may,

(a) stay proceedings to enforce an order of the court for such time and on such terms as are just; and

(b) vary the times and proportions in which money payable under an order of the court shall be paid, if it is satisfied that the debtor's circumstances have changed. O. Reg. 797/84, r. 21.02.

General

21.03 In addition to any other method of enforcement provided by law, an order for the payment or recovery of money may be enforced by,

(a) a writ of seizure and sale of personal property (Form 21C) under rule 21.06;

(b) a writ of seizure and sale of land (Form 21D) under rule 21.07; and

(c) garnishment under rule 21.08,

and a further order as to payment may be made under subrule 21.10 (7). O. Reg. 797/84, r. 21.03.

Certificate of Judgment

21.04 (1) Where there is default under an order for the payment or recovery of money, the clerk shall, at the creditor's request supported by a written statement of the amount still owing, issue a certificate of judgment (Form 21A) to the clerk of the territorial division specified by the creditor.

(2) The certificate of judgment shall state,

(a) the date of the order and the amount awarded;

(b) the rate of postjudgment interest payable; and

(c) the amount owing, including postjudgment interest. O. Reg. 797/84, r. 21.04.

Delivery of Personal Property

21.05 (1) An order for the delivery of personal property may be enforced by a writ of delivery (Form 21B) issued by the clerk to a bailiff on the request of the person in whose favour the order was made, supported by an affidavit of that person or the person's agent stating that the property has not been delivered.

Seizure of Other Personal Property

(2) If the property referred to in a writ of delivery cannot be found or taken by the bailiff, the person in whose favour the order was made may make a motion to the court for an order directing the bailiff to seize any other personal property of the person against whom the order was made.

(3) The bailiff shall keep personal property seized under subrule (2) pending any further order of the court as to its disposition. O. Reg. 797/84, r. 21.05.

Writ of Seizure and Sale of Personal Property

21.06 (1) Where there is default under an order for the payment or recovery of money, the clerk shall, at the creditor's request supported by a written statement of the amount still owing, issue to a bailiff a writ of seizure and sale of personal property (Form 21C) and the bailiff shall enforce the writ for the amount owing, postjudgment interest and the bailiff's fees and expenses.

Duration and Renewal

(2) A writ of seizure and sale of personal property remains in force for six months from the date of its issue and for a further six months from each renewal.

(3) A writ of seizure and sale of personal property may be renewed before its expiration by filing with the clerk a request to renew the writ.

(4) A writ of seizure and sale of personal property shall show the creditor's name, address and telephone number and the name, address and telephone number of the creditor's agent or solicitor, if any.

Inventory of Property Seized

(5) The bailiff shall, on request, deliver an inventory of personal property seized under a writ of seizure and sale of personal property to the debtor or the debtor's agent within a reasonable time after the request is made.

Sale of Personal Property

(6) Personal property seized under a writ of seizure and sale of personal property shall not be sold by the bailiff unless notice of the time and place of sale has been,

(a) mailed to the creditor at the address shown on the writ or the creditor's agent or solicitor and to the debtor at the debtor's last known address, at least fourteen days before the sale; and

(b) advertised in a manner that is likely to bring it to the public's attention. O. Reg. 797/84, r. 21.06.

Writ of Seizure and Sale of Land

21.07 (1) Where an order for the payment or recovery of money is unsatisfied, the clerk shall, at the creditor's request supported by a written statement of the amount still owing, issue to a sheriff specified by the creditor a writ of seizure and sale of land (Form 21D).

(2) A writ of seizure and sale of land issued under subrule (1) has the same force and effect and may be renewed and shall be withdrawn in the same manner as a writ of seizure and sale issued under Rule 60 of the Rules of Civil Procedure. O. Reg. 797/84, r. 21.07.

Garnishment

21.08 (1) A creditor may enforce an order for the payment or recovery of money by garnishment of debts payable to the debtor by other persons.

Obtaining Notice of Garnishment

(2) A creditor who seeks to enforce an order by garnishment shall file with the clerk in the territorial division in which the debtor resides or carries on business,

(a) an affidavit stating,

(i) the date of the order and the amount awarded,

(ii) the territorial division in which the order was made,

(iii) the rate of postjudgment interest payable,

(iv) the date and amount of any payment received since the order was granted,

(v) the amount owing, including postjudgment interest,

(vi) the name and address of each person to whom a notice of garnishment is to be directed,

(vii) that the creditor believes that those persons are or will become indebted to the debtor, and the grounds for the belief, and

(viii) such particulars of the debts as are known to the creditor; and

(b) a certificate of judgment (Form 21A), if the order was made in another territorial division.

(3) On the filing of the material required by subrule (2), the clerk shall issue notices of garnishment (Form 21E) naming as garnishees the persons named in the affidavit.

Service of Notice of Garnishment

(4) A notice of garnishment shall be served,

(a) on the debtor, by mail or by personal service or an alternative to personal service under rule 8.04; and

(b) on the garnishee, by registered mail or by personal service or an alternative to personal service under rule 8.04.

Garnishee Liable From Time of Service

(5) The garnishee is liable to pay to the clerk any debt of the garnishee to the debtor, up to the amount shown in the notice of gar-

nishment, within ten days after service of the notice on the garnishee or ten days after the debt becomes payable, whichever is later.

(6) For the purpose of subrule (5), a debt of the garnishee to the debtor includes a debt payable at the time the notice of garnishment is served and a debt,

(a) payable within six months after the notice is served; or

(b) payable on the fulfilment of a term or condition within six months after the notice is served.

Payment by Garnishee to Clerk

(7) A garnishee who admits owing a debt to the debtor shall pay it to the clerk in the manner prescribed by the notice of garnishment, subject to section 7 of the *Wages Act*.

Equal Distribution Among Creditors

(8) Where the clerk has issued notices of garnishment in respect of a debtor at the request of more than one creditor and the clerk receives payment under any of the notices of garnishment, the clerk shall distribute the payment equally among the creditors who have filed a request for garnishment and are not paid in full.

Disputing Garnishment

(9) A garnishee who wishes for any reason to dispute the garnishment or who pays to the clerk of the court less than the amount set out in the notice of garnishment as owing by the garnishee to the debtor shall within ten days after service of the notice of garnishment send to the court a statement setting out the particulars.

Garnishment Hearing

(10) At the request of a creditor, debtor, garnishee or any other interested person, the court may,

(a) where it is alleged that the garnishee's debt to the debtor has been assigned or encumbered, order the assignee or encumbrancer to appear and state the nature and particulars of the claim;

(b) determine the rights and liabilities of the garnishee, the debtor and any assignee or encumbrancer;

(c) vary or suspend periodic payments under a notice of garnishment; or

(d) determine any other matter in relation to a notice of garnishment.

Enforcement Against Garnishee

(11) Where the garnishee does not pay to the clerk the amount set out in the notice of garnishment and does not send a garnishee's statement, the creditor is entitled to an order against the garnishee for payment of the amount set out in the notice, unless the court orders otherwise.

Payment to Person other than Clerk

(12) Where, after service of a notice of garnishment, the garnishee pays a debt attached by the notice to a person other than the clerk, the garnishee remains liable to pay the debt in accordance with the notice.

Payment to Clerk Discharges Garnishee

(13) Payment of a debt by a garnishee in accordance with a notice of garnishment is a valid discharge of the debt as between the garnishee and the debtor, to the extent of the payment.

(14) Unless a hearing has been requested under subrule (10), the clerk shall, when proof is filed that the notice of garnishment was served on the debtor, distribute to a creditor payments received under a notice of garnishment as they are received. O. Reg. 797/84, r. 21.08.

Consolidation Order

21.09 (1) A debtor against whom there are two or more unsatisfied orders for the payment of money may make a motion to the court for a consolidation order.

(2) The debtor shall file with the motion an affidavit stating,

(a) the names and addresses of the creditors who have obtained an order for the payment of money against him or her;

(b) the amount owed to each creditor;

(c) the amount of the debtor's income from all sources, identifying them; and

(d) the debtor's current financial obligations and any other relevant facts.

Notice of Motion

(3) Notice of the motion and a copy of the affidavit shall be served at least seven days before the hearing date on each of the creditors mentioned in the affidavit,

(a) by mail; or

(b) by personal service or an alternative to personal service under rule 8.04.

Contents of Consolidation Order

(4) At the hearing of the motion, the court may make a consolidation order setting out,

(a) a list of unsatisfied orders for the payment of money against the debtor, indicating in each case the date, court and amount and the amount unpaid;

(b) the amounts to be paid into court by the debtor pursuant to the consolidation order; and

(c) the times of the payments.

(5) The total of the amounts to be paid into court by the debtor under a consolidation order shall not exceed the portion of the debtor's income that is subject to seizure or garnishment under section 7 of the *Wages Act*.

Creditor May Make Submissions

(6) At the hearing of the motion, a creditor may make submissions as to the amount and times of payment.

Further Orders Obtained After Consolidation Order

(7) Where an order for the payment of money is obtained against the debtor after the date of the consolidation order for a debt incurred before the date of the consolidation order, the creditor may file with the clerk a certified copy of the order, and the creditor shall be added to the consolidation order and shall thereafter share in the distribution under it.

(8) A consolidation order terminates immediately if an order for the payment of money is obtained against the debtor after the date of the consolidation order for a debt incurred after the date of the consolidation order.

Enforcement Limited While Consolidation Order in Force

(9) No enforcement proceeding other than the issue of a writ of seizure and sale of land may be taken or continued by a creditor named in a consolidation order against the debtor while the consolidation order is in force.

Termination on Default

(10) A consolidation order terminates immediately if the debtor is in default for twenty-one days under it.

Effect of Termination

(11) Where a consolidation order terminates under subrule (8) or (10), the clerk shall notify by mail the creditors named in the consolidation order and no further consolidation order shall be made in respect of the debtor for one year from the date of termination.

Equal Distribution Among Creditors

(12) All payments into a consolidation account belong to the creditors named in the consolidation order who shall share equally in the distribution of the money.

(13) The clerk shall distribute the money paid into the consolidation account at least once every six months. O. Reg. 797/84, r. 21.09.

Examination of Debtor

21.10 (1) Where there is default under an order for the payment or recovery of money, the clerk of the territorial division where the debtor resides or carries on business shall, at the creditor's request, issue a notice of examination (Form 21F) directed to the debtor.

(2) The creditor's request shall be accompanied by,

(a) an affidavit setting out,

(i) the date of the order and the amount awarded,

(ii) the territorial division in which the order was made,

(iii) the rate of postjudgment interest payable,

(iv) the date and amount of any payment received since the order was made, and

(v) the amount owing, including postjudgment interest; and

(b) a certificate of judgment (Form 21A), if the order was made in another territorial jurisdiction.

Service of Notice of Examination

(3) The notice of examination shall be served on the debtor personally or by an alternative to personal service under rule 8.04 at least fourteen days before the date set for the examination.

(4) The debtor and any witnesses whose evidence the court considers necessary may be examined in relation to,

(a) the reason for nonpayment;

(b) the debtor's income and property;

(c) the debts owed to and by the debtor;

(d) the disposal the debtor has made of any property either before or after the making of the order;

(e) the debtor's present, past and future means to satisfy the order;

(f) whether the debtor intends to obey the order or has any reason for not doing so; and

(g) any other matter pertinent to the enforcement of the order.

Who May Be Examined

(5) An officer or director of a corporate debtor, or, in the case of a debtor that is a partnership or sole proprietorship, a partner or sole proprietor against whom the order may be enforced, may be examined on behalf of the debtor in relation to the matters set out in subrule (4).

Examinations Private

(6) The examination shall be held in the absence of the public unless the court orders otherwise.

Order As To Payment

(7) After the examination or with the debtor's written consent, the court may make an order as to payment.

Warrant of Committal

(8) Where a debtor on whom a notice of examination has been served,

(a) fails to attend as required by the notice of examination and the court is satisfied that the failure to attend is wilful; or

(b) attends and refuses to answer questions,

the court may order the debtor to be committed for a specified period not exceeding forty days to a correctional institution in the county or district in which he or she resides or carries on business.

(9) Where an order has been made under subrule (8), the clerk shall issue a warrant of committal (Form 21G) directed to the bailiff and the bailiff may under the warrant take the debtor and deliver him or her to the superintendent of the correctional institution referred to in the warrant of committal.

(10) The bailiff shall not enforce a warrant of committal if the court orders the debtor to attend before the court to explain why the warrant should not be enforced.

(11) Notice of a hearing under subrule (10) shall be served on the debtor,

(a) by mail; or

(b) by personal service or an alternative to personal service under rule 8.04,

as the court directs.

(12) At the hearing, the court may,

(a) order that the warrant of committal be enforced;

(b) order the debtor to attend at an examination under this rule; or

(c) make an order as to payment.

(13) A warrant of committal remains in force for six months from the date of its issue and may be renewed by order of the court.

(14) The debtor shall be discharged from custody,

(a) on the court's order; or

(b) when the time prescribed in the warrant of committal expires,

whichever is earlier. O. Reg. 797/84, r. 21.10.

RULE 22 REFEREE

22.01 (1) A referee shall perform such duties and functions of an advisory nature as the court directs for the purpose of assisting the court and, without limiting the generality of the foregoing, where the court so directs, a referee shall conduct pre-trial conferences in an effort to settle matters in dispute between the parties and shall conduct examinations under rule 21.10 (examination of debtor). O. Reg. 797/84, r. 22.01 (1); O. Reg. 754/86, s. 1, par. 8.

(2) Except under subrule 9.04 (3) (order as to terms of payment), a referee shall not make a final decision in any matter referred to him or her but shall report his or her findings and recommendations to the court. O. Reg. 797/84, r. 22.01 (2).

Form 1A

GENERAL HEADING

.....
SMALL CLAIMS COURT

PLAINTIFF

.....
Name, address, telephone number

DEFENDANT(S)

.....
Name, address, telephone number

(where appropriate:)

THIRD PARTY

.....
Name, address, telephone number

O. Reg. 797/84, Form 1A.

Form 4A

CONSENT TO ACT AS LITIGATION GUARDIAN FOR PLAINTIFF

(General heading)

I, ..., whose
(Name of litigation guardian)

address and telephone number are .....,
(Address and telephone number)
consent to act as litigation guardian for the plaintiff in this action,

.....,
(Name of person under disability)
who is under a disability as follows:

☐ minor

☐ mentally incompetent or incapable of managing his or her affairs

☐ absentee

My relationship to the plaintiff is .....
(State relationship, if any)

I have no interest in this action adverse to that of the plaintiff and I acknowledge that I know and I may be personally liable for any costs awarded against me or against the plaintiff.

....
(Date) (Signature of litigation guardian)

O. Reg. 797/84, Form 4A.

Form 4B

CONSENT TO ACT AS LITIGATION GUARDIAN FOR DEFENDANT

(General heading)

I, ..., whose
(Name of litigation guardian)

address and telephone number are .....,
(Address and telephone number)
consent to act as litigation guardian for the defendant in this action,

.....,
(Name of defendant)
who is under a disability as follows:

☐ minor

☐ mentally incompetent or incapable of managing his or her affairs

☐ absentee

My relationship to the defendant is .....
(State relationship, if any)

I have no interest in this action adverse to that of the defendant.

....
(Date) (Signature of litigation guardian)

O. Reg. 797/84, Form 4B.

Form 5A

NOTICE TO ALLEGED PARTNER

(General heading)

YOU ARE ALLEGED TO HAVE BEEN A PARTNER on

.....
(Date)

or during ..... in the partnership of
(Period)

..... named as a
(Firm name)
party to this proceeding.

IF YOU WISH TO DENY THAT YOU WERE A PARTNER at any material time, you must defend this proceeding separately from the partnership, denying that you were a partner at the material time. If you fail to do so, you will be deemed to have been a partner on the date (*or* during the period) set out above.

AN ORDER AGAINST THE PARTNERSHIP MAY BE ENFORCED AGAINST YOU PERSONALLY if you are deemed to have been a partner, if you admit that you were a partner or if the court finds that you were a partner at the material time.

....
(Date) (Name, address and telephone number of plaintiff or plaintiff's solicitor)

TO: .....
(Name and address of alleged partner)

O. Reg. 797/84, Form 5A.

Form 7A

CLAIM

(General heading)

TO THE DEFENDANT:

The Plaintiff claims from you $ ..... and costs for the reasons set out below.

IF YOU DO NOT FILE A DEFENCE WITHIN TWENTY DAYS AFTER YOU HAVE RECEIVED THIS CLAIM, JUDGMENT MAY BE ENTERED AGAINST YOU.

TYPE OF CLAIM:

Unpaid Account/Loan	☐	Services Rendered	☐
Contract	☐	N.S.F. Cheque	☐
Damage to Property	☐	Promissory Note	☐
Motor Vehicle Accident	☐	Lease	☐

Other ☐ .....
(describe)

REASONS FOR CLAIM AND DETAILS

(Explain what happened, where and when and the amounts of money involved.)

.....

.....

.....

(Where claim is based on a document, attach a copy or, if it is lost or unavailable, explain why it is not attached.)

.....

.....

....
(Date) (Signature)

O. Reg. 797/84, Form 7A.

Form 8A

CERTIFICATE OF SERVICE

I, ..., bailiff/deputy bailiff of the .....
(Identify court)
Small Claims Court, certify that I have served the attached claim or other document .....
(Name of other document)

on .....
(Name of defendant)

☐ personally on .....
(Date)

OR

☐ by leaving a copy of the claim or document in a sealed envelope addressed to the defendant with .....
(Name of person)

at .....
(Defendant's place of residence)
and mailing another copy of the claim addressed to the defendant at .....
(Address of defendant)

on .....
(Date)

....
(Date) (Signature of bailiff/deputy bailiff)

O. Reg. 797/84, Form 8A.

Form 8B

AFFIDAVIT OF SERVICE

(General heading)

I, ...,
(Full name)

of the ..... in the .....
(City, Town, etc.) (County, Regional Municipality, etc.)

of ....., MAKE OATH AND SAY (*or* AFFIRM):

I have served the attached claim or other document .....

.....
(Name of other document)

on .....
(Name of defendant)

☐ personally on .....
(Date)

OR

☐ by leaving a copy of the claim or document in a sealed envelope addressed to the defendant with .....
(Name of person)

at .....
(Defendant's place of residence)
and mailing another copy of the claim addressed to the defendant at .....
(Address of defendant)

on .....
(Date)

SWORN (*or* AFFIRMED) (etc.)

.....
(Signature)

O. Reg. 797/84, Form 8B.

Form 9A

DEFENCE

(General heading)

☐ I/We dispute the claim made by the plaintiff for $ ..... and costs.

☐ I/We do not dispute the plaintiff's claim and wish to arrange terms of payment.

☐ I/We admit responsibility for $ ..... and wish to arrange terms of payment and I/we dispute the balance of the claim.

REASONS FOR DISPUTING THE CLAIM AND DETAILS

.....

.....

.....

....
(Date) (Signature)

O. Reg. 797/84, Form 9A.

Form 9B

ORDER AS TO TERMS OF PAYMENT

(General heading)

At a hearing on ....., 19....., the following terms
(Date)
of payment for $ ..... claim and $ ..... costs were ordered.

TERMS OF PAYMENT:

NOTE: If the defendant fails to make payment in accordance with this order, the clerk may sign judgment for the unpaid balance without a hearing.

....
(Date order made) (Signature of referee)

O. Reg. 797/84, Form 9B.

Form 10A

NOTICE OF DEFAULT JUDGMENT

(General heading)

TAKE NOTICE that default judgment has been entered in this action on ..... for $ .....
(Date)
and $ ..... costs and prejudgment interest if claimed.

Claim Number .....

.....
(Clerk)

O. Reg. 797/84, Form 10A.

Form 12A

THIRD PARTY CLAIM

(General heading)

TO THE DEFENDANT IN THE THIRD PARTY CLAIM

The plaintiff in the third party claim in this action claims from you $ ..... and costs for the reasons set out below.

IF YOU DO NOT FILE A DEFENCE WITHIN TWENTY DAYS AFTER YOU HAVE RECEIVED THIS THIRD PARTY CLAIM, JUDGMENT MAY BE ENTERED AGAINST YOU.

REASONS FOR CLAIM AND DETAILS

.....

.....

.....

....
(Date) (Signature)

O. Reg. 797/84, Form 12A.

Form 14A

REQUEST FOR PRE-TRIAL CONFERENCE

(General heading)

TO THE COURT:

I, ..., request that a
(Name)
pre-trial conference be held in this action for the following reasons:

(Give facts to substantiate your request.)

.....
(Signature of party, solicitor or agent)

O. Reg. 797/84, Form 14A.

Form 14B

NOTICE OF PRE-TRIAL CONFERENCE

(General heading)

TAKE NOTICE: A pre-trial conference in this action is to be held in the ..... at .....

commencing at ..... on .....
(Date)

If you fail to attend this pre-trial conference or if you attend unprepared, costs may be assessed against you.

NOTE: Please come to this pre-trial conference prepared for a full discussion of this action. Bring all relevant documents. Do not bring witnesses. Settlement of the claim without a trial will be discussed.

....
(Date) (Signature of clerk)

O. Reg. 797/84, Form 14B.

Form 16A

NOTICE OF MOTION

(General heading)

TAKE NOTICE: A motion will be made to the court by

.....
(Name of party)

for the following order: .....
(Specify)

The following material will be relied on at the hearing of the motion:

.....
(Specify and, where an affidavit is to be relied on, attach a copy.)

THE COURT will hear this motion at .....
(Name and location of court)

on ..... at ..... or as soon
(Date) (Time)
thereafter as the motion can be heard.

TAKE NOTICE: IF YOU FAIL TO APPEAR AT THE HEARING OF THIS MOTION, AN ORDER MAY BE MADE IN YOUR ABSENCE.

....
(Date) (Signature of party, solicitor or agent)

O. Reg. 797/84, Form 16A.

Form 16B

AFFIDAVIT

(General heading)

I, ...,
(Full name)

of the .....
(City, Town, etc.)

in the .....,
(County, Regional Municipality, etc.)

MAKE OATH AND SAY (*or* AFFIRM):

(Give facts in support of motion. Where the facts are not within your own personal knowledge, give the source of your information or the grounds for your belief.)

SWORN (*or* AFFIRMED) (etc.)

.....
(Signature)

O. Reg. 797/84, Form 16B.

Form 17A

NOTICE OF TRIAL

(General heading)

TAKE NOTICE: The trial of this action will be held in the

..... at ..... on .....
(Date)
at 10.00 a.m. or so soon thereafter as the trial may be held.

TAKE NOTICE: IF YOU FAIL TO APPEAR, THIS ACTION MAY BE DISPOSED OF WITHOUT FURTHER NOTICE TO YOU.

....
(Date) (Signature of clerk)

O. Reg. 797/84, Form 17A; O. Reg. 158/85, s. 1, par. 3.

Form 19A

SUMMONS TO WITNESS

(General heading)

YOU ARE REQUIRED TO ATTEND TO GIVE EVIDENCE

IN COURT at the trial of this action on .....,
(Day)

....., at ....., at .....
(Date) (Time) (Address of court)
and to remain until your attendance is no longer required.

YOU ARE REQUIRED TO BRING WITH YOU and produce at the trial the following documents and things:

.....
(State particular documents and things required)
and all other documents relating to the action in your custody, possession or control.

IF YOU FAIL TO ATTEND AS REQUIRED BY THIS SUMMONS, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

....
(Date) (Signature of clerk)

TO: .....
(Name of witness)

O. Reg. 797/84, Form 19A.

Form 19B

WARRANT FOR ARREST OF DEFAULTING WITNESS

(General heading)

TO ALL BAILIFFS and other peace officers in Ontario AND TO the officers of all correctional institutions in Ontario.

WHEREAS the witness .....,
(Name)

of .....,
(Address)
was served with a summons to witness to give evidence at the trial of this action, and the prescribed attendance money was paid or tendered;

AND WHEREAS the witness failed to obey the summons, and I am satisfied that the evidence of the witness is material to this proceeding;

YOU ARE ORDERED TO ARREST and bring the witness

.....
(Name of witness)
before the court to give evidence in this action and, if the court is not then sitting or if the witness cannot be brought immediately before the court, to deliver the witness to a provincial correctional institution or other secure facility, to be admitted and detained there until the witness can be brought before the court.

....
(Date) (Signature of judge)

O. Reg. 797/84, Form 19B.

Form 21A

CERTIFICATE OF JUDGMENT

(General heading)

Certificate of the entry of a judgment recovered on .....
(Date)

in this court in an action numbered .....
(Claim number)

Amount of Judgment	
Debt	$
Costs	$
	$_____
	$
Additional Costs	$
	$_____
Total	$
Total Paid	$_____
Amount Due	

The amount unpaid on the judgment is $ .....
(Amount)
as stated in this certificate and the rate of postjudgment interest is .....

....
(Date) (Signature of clerk)

TO: .....
(Name of clerk and name and address of court to which certificate is to be sent)

O. Reg. 797/84, Form 21A.

Form 21B

WRIT OF DELIVERY

(General heading)

Under an order of this court made on .....,
(Date)

YOU ARE DIRECTED to seize from .....
(Name of party)

and to deliver without delay to .....
(Name of party who obtained order)

the following personal property: .....
(Set out a description of the property to be delivered.)

....
(Date) (Signature of clerk)

TO: .....
(Bailiff)

O. Reg. 797/84, Form 21B.

Form 21C

WRIT OF SEIZURE AND SALE OF PERSONAL PROPERTY

(General heading)

Under an order of this court made on .....,
(Date)

in favour of .....,
(Name of creditor)

YOU ARE DIRECTED to seize and sell the personal property within your division of .....
(Name of debtor)
and to realize from the seizure and sale the following sums:

(a) $ ..... and $ ..... costs and interest at ..... per cent per year commencing on .....; and
(Date)

(b) your fees and expenses in enforcing this writ.

YOU ARE DIRECTED to pay the proceeds over to the clerk of this court for the creditor.

....
(Date) (Signature of clerk)

TO: .....
(Bailiff)

O. Reg. 797/84, Form 21C.

Form 21D

WRIT OF SEIZURE AND SALE OF LAND

(General heading)

TO the Sheriff of .....
(Name of area)

Under an order of this court made on .....,
(Date)

in favour of .....,
(Name of creditor)

YOU ARE DIRECTED to seize and sell the real property within your area of .....
(Name of debtor)
and to realize from the seizure and sale the following sums:

(a) $ ..... and interest at ..... per cent per year commencing on .....;
(Date)

(b) $ ..... for costs together with interest at ..... per cent per year commencing on .....; and
(Date)

(c) your fees and expenses in enforcing this writ.

YOU ARE DIRECTED to pay out the proceeds according to law and to report on the execution of this writ if required by the party or solicitor who filed it.

..... Issued by .....
(Date) (Clerk)

Court office .....

.....

O. Reg. 797/84, Form 21D.

Form 21E

NOTICE OF GARNISHMENT

.....
SMALL CLAIMS COURT

CREDITOR

.....
Name, address, telephone number

DEBTOR

.....
Name, address, telephone number

GARNISHEE

.....
Name, address, telephone number

A JUDGMENT of this court has ordered the debtor to pay a sum of money to the creditor. The creditor claims that you owe or will owe a debt to the debtor. The creditor has had this notice of garnishment directed to you in order to seize any debt that you owe or will owe to the debtor.

YOU ARE REQUIRED TO PAY to the clerk of .....,
(Name of Court)

(a) within ten days after this notice is served on you, all debts now payable by you to the debtor; and

(b) within ten days after they become payable, all debts that become payable by you to the debtor within six months after this notice is served on you,

subject to the exemptions provided by section 7 of the *Wages Act*. The total amount of all your payments to the clerk is not to exceed

$ .....

IF YOU DO NOT PAY THE TOTAL AMOUNT OR SUCH LESSER AMOUNT AS YOU ARE LIABLE TO PAY UNDER THIS NOTICE WITHIN TEN DAYS after this notice is served on you, you must file with the clerk a statement signed by you setting out the particulars.

EACH PAYMENT MUST BE SENT to the clerk at the address shown below.

IF YOU FAIL TO OBEY THIS NOTICE, THE COURT MAY MAKE AND ENFORCE AN ORDER AGAINST YOU for payment of the amount set out above and the costs of the creditor.

IF YOU MAKE PAYMENT TO ANYONE OTHER THAN THE CLERK, YOU MAY BE LIABLE TO PAY AGAIN.

TO THE CREDITOR, THE DEBTOR AND THE GARNISHEE:

Any party may request the court to determine any matter in relation to this notice of garnishment.

....
(Date) (Signature of clerk, name and address of court)

TO: .....
(Garnishee)

O. Reg. 797/84, Form 21E.

Form 21F

NOTICE OF EXAMINATION

(General heading)

TO THE DEFENDANT:

On ....., the plaintiff
(Date)

recovered judgment against you in this court for $ ..... and

$ ..... costs. The judgment remains unsatisfied.

YOU ARE REQUIRED TO ATTEND AN EXAMINATION to determine the means you have to satisfy this judgment and whether you intend to satisfy it or have any reason for not doing so.

THE EXAMINATION WILL BE HELD at the next sittings of this court at .....,
(Location of court)

on ....., at .....
(Date) (Time)

TAKE NOTICE THAT IF YOU DO NOT APPEAR YOU MAY, BY ORDER OF THIS COURT, BE COMMITTED TO A CORRECTIONAL INSTITUTION FOR UP TO FORTY DAYS.

....
(Date) (Signature of clerk)

O. Reg. 797/84, Form 21F.

Form 21G

WARRANT OF COMMITTAL

(General heading)

TO THE BAILIFFS OF THIS COURT AND TO ALL PEACE OFFICERS OF .....
(Name of county or district)

AND TO THE OFFICERS OF .....
(Name of correctional institution)

A NOTICE OF EXAMINATION was issued from this court by which the defendant was required to attend the sittings of this court at ..... on .....
(Time) (Date)
to be examined in relation to the judgment in this action.

WHEREAS it has been duly proved that the notice of examination has been properly served on .....;
(Name)

WHEREAS .....;
(State facts relating to failure to attend or refusal to answer questions)

WHEREAS a judge of this court thereupon ordered the defendant to be committed;

YOU ARE ORDERED to take the person named above to

....., (Name of correctional institution)

and to admit and detain him or her there for ..... days.

..... (Date) ..... (Signature of clerk)

O. Reg. 797/84, Form 21G.

REGULATION 202

RULES OF THE UNIFIED FAMILY COURT

PART I
GENERAL

1. In these rules,

"clerk" means the clerk of the Court;

"file" means file in the office of the clerk;

"party" means a party to a proceeding and includes a person who is entitled to notice of a proceeding, but does not include a foster parent;

"prescribed" means prescribed by these rules;

"proceeding" means a proceeding in the Court. R.R.O. 1980, Reg. 939, r. 1.

2. These rules apply to all civil proceedings in the Court. R.R.O. 1980, Reg. 939, r. 2.

3. The forms authorized by these rules shall be used where applicable and with such variations as the circumstances require O. Reg. 807/84, s. 1.

4. These rules shall be construed liberally so as to secure an inexpensive and expeditious conclusion of every proceeding consistent with a just determination of the proceeding. R.R.O. 1980, Reg. 939, r. 4.

5. In any matter not provided for by these rules, the practice of the Court shall be regulated by analogy to these rules and to the Act governing the proceeding, and in such a case or where it appears that these rules do not make adequate provision, a motion may be made to the Court,

(a) for an order that one or more of the Rules of Civil Procedure apply; or

(b) for directions, where it appears that there is no appropriate provision in the Rules of Civil Procedure. O. Reg. 807/84, s. 2.

6. Where a party fails to comply with these rules, the Court, upon such terms as the Court considers proper, may grant such relief from the noncompliance as the Court considers necessary to secure the just determination of the matter in dispute. R.R.O. 1980, Reg. 939, r. 6.

7. In the computation of time under these rules or an order of the Court, where there is a reference to a number of days between two events, they shall be counted by excluding the day on which the first event happens and including the day on which the second event happens, and where the time for doing an act under these rules expires on a day on which the court office is closed, the act may be done on the next day on which the court office is open. O. Reg. 807/84, s. 3.

8. The Court, at any time, may lengthen or shorten a period of time prescribed by these rules or by an order of the Court, upon such terms as the Court considers proper in the circumstances. R.R.O. 1980, Reg. 939, r. 8.

9.—(1) Where the Court is satisfied that the interests of a minor or a person who may be of unsound mind are involved in a proceeding, the Court may give such directions for the representation of the minor or the person as the Court considers proper. O. Reg. 807/84, s. 4.

(2) A person shall not be required to provide representation under subrule (1) without the person's consent and the opportunity to make submissions to the Court concerning the nature and extent of the representation to be provided. O. Reg. 388/87, s. 1.

10. The Court may order that any person whose presence as a party is necessary to determine the matters in issue shall be added as a party. R.R.O. 1980, Reg. 939, r. 9.

11.—(1) A proceeding shall be commenced by filing an application in the prescribed form. R.R.O. 1980, Reg. 939, r. 10 (1).

(2) A proceeding for the discharge, variation or suspension of an order may be commenced by serving and filing a notice of motion or by filing an application in the prescribed form. O. Reg. 807/84, s. 5.

12. Upon the commencement of a proceeding, the clerk shall set a day for hearing, issue a notice of hearing in the prescribed form and seal the notice of hearing and the application with the seal of the Court. R.R.O. 1980, Reg. 939, r. 11.

13.—(1) Subject to subrules (2) and (3), service of an application and service of an answer on a party added under rule 54 may be made in or out of Ontario by,

(a) leaving a copy with the person to be served;

(b) sending a copy together with an acknowledgement of service card in Form 1 by mail to the last known address of the person to be served; or

(c) leaving a copy with the solicitor of the party to be served or an employee in the solicitor's office.

(2) Service under clause (1) (b) is effective,

(a) only if the acknowledgment of service card or a post office receipt bearing a signature that purports to be the signature of the person to be served is received by the sender; and

(b) on the date on which the sender first receives either receipt, signed as provided by clause (a).

(3) Service under clause (1) (c) is effective only if the solicitor endorses on the application or a copy of it an acceptance of service and the date of the acceptance.

(4) Where an attempt is made to effect personal service of an application, other than an application for divorce or for the annulment of a marriage, at a person's place of residence and for any reason personal service cannot be effected, the application may be served by,

(a) leaving a copy, in a sealed envelope addressed to the person, at the place of residence with anyone who appears to be an adult member of the same household; and

(b) on the same day or the following day, mailing another copy of the application to the person at the place of residence,

and service in this manner is effective on the fifth day after the application is mailed.

(5) Service of a notice of motion to find a person in contempt of court may be made in or out of Ontario by leaving a copy with the person to be served. O. Reg. 324/86, s. 1 (1).

(6) Service of a document in a proceeding other than a document referred to in subrule (1), (4) or (5) may be made in or out of Ontario,

(a) by leaving a copy with the person to be served;

(b) by leaving a copy with a person apparently of the age of sixteen years or over at the place where the person to be served is residing;

(c) by leaving a copy at the address for service shown on the latest document filed by the person to be served in the same or any other proceeding in the Court;

(d) by sending a copy by prepaid ordinary mail addressed to the person to be served at the person's address for service shown on the latest document filed by the person in the same or any other proceeding in the Court;

(e) by delivering or sending by prepaid ordinary mail a copy of the document to the solicitor acting in the proceeding for the person to be served;

(f) where the document is a report, by sending a copy by prepaid ordinary mail addressed to the person to be served at the person's last known address; or

(g) by telephone transmission of a facsimile of the document, in accordance with subrule (15). R.R.O. 1980, Reg. 939, r. 12 (3); O. Reg. 807/84, s. 6 (1); O. Reg. 324/86, s. 1 (2); O. Reg. 327/90, s. 1 (1).

(7) In addition to the methods set out in subrules (1), (4), (5) and (6), service of a document in a proceeding under the *Child and Family Services Act* on a Director or foster parent within the meaning of that Act or a children's aid society may be made by sending a copy of the document by prepaid ordinary mail addressed to the person to be served at the person's place of business or, in the case of a foster parent, at the foster parent's residence. R.R.O. 1980, Reg. 939, r. 12 (4); O. Reg. 324/86, s. 1 (3).

(8) Where a person who is to be served with a document is mentally incompetent, the document shall not be served on the person but shall be served in accordance with subrules (1) to (7) on the committee of the person's estate or, where there is none, on the Public Trustee. O. Reg. 807/84, s. 6 (2).

(9) By accepting service under subrule (3), the solicitor shall be deemed to represent to the court that the solicitor has the authority of the solicitor's client to accept service. O. Reg. 324/86, s. 1 (4).

(10) Where service of a document on a corporation is to be made by leaving a copy of the document with the corporation, the copy of the document may be left with an officer, director or agent of the corporation. R.R.O. 1980, Reg. 939, r. 12 (7).

(11) Where a copy of a document has been mailed, the document shall be deemed to have been served on the fifth day following the day on which it was mailed, unless the contrary is shown. O. Reg. 807/84, s. 6 (3), *part*.

(12) Even though a document in a proceeding has been served in accordance with subrule (1), (4), (6) or (7), the Court at any time may order that the document be served by leaving a copy of the document with the person to be served. O. Reg. 807/84, s. 6 (3), *part*; O. Reg. 324/86, s. 1 (5).

(13) Proof of service or of efforts to make service may be given by affidavit.

(14) Where a document is served by leaving a copy with the person to be served, the person serving the document shall request the person to be served to produce identification and to complete and sign an acknowledgment of service in Form 1 and the affidavit of service shall state the response of the person to be served to these requests. R.R.O. 1980, Reg. 939, r. 12 (10, 11).

(15) A document served by telephone transmission shall include a cover page indicating,

(a) the sender's name, address and telephone number;

(b) the name of the solicitor or person to be served;

(c) the date and time of the transmission;

(d) the number of pages transmitted, including the cover page;

(e) the telephone number from which the document is transmitted; and

(f) the name and telephone number of a person to contact if there are transmission problems. O. Reg. 327/90, s. 1 (2).

14.—(1) Where on motion without notice the Court is satisfied that reasonable efforts have been made, without success, to serve a document or that such reasonable efforts would not be successful, the Court may order substituted service of the document in such manner as the Court directs or may dispense with service upon such terms as the Court considers proper in the circumstances. R.R.O. 1980, Reg. 939, r. 13 (1).

(2) Where the Court orders service by advertisement, the advertisement shall be in Form 2. R.R.O. 1980, Reg. 939, r. 13 (3).

15.—(1) A party may abandon an application or motion,

(a) before service on the respondent, by filing a notice of abandonment;

(b) after service and before an answer or affidavit in response is served, by serving a notice of abandonment and filing it with proof of service;

(c) after an answer or affidavit in response is served, with the permission of the Court; or

(d) at any time, by filing a notice of abandonment and the consent of the other party.

(2) A party who abandons an application or motion is liable for the costs of the other party unless the Court orders otherwise. O. Reg. 807/84, s. 8.

16.—(1) A motion within a proceeding shall be commenced by serving and filing a notice of motion in the prescribed form and, where practicable, the evidence in support of the motion. R.R.O. 1980, Reg. 939, r. 14.

(2) A notice of motion, other than a motion to discharge, vary or suspend a final order, shall be served at least three days before the day on which the motion is to be heard. O. Reg. 807/84, s. 9, *part*; O. Reg. 324/86, s. 2.

(3) A notice of motion to discharge, vary or suspend a final order shall be served at least,

(a) twenty days before the day on which the motion is to be heard, where the notice is served in Ontario;

(b) twenty-five days before the day on which the motion is to be heard, where the notice is served out of Ontario but in Canada or the United States of America; or

(c) thirty days before the day on which the motion is to be

heard, where the notice is served out of Canada and out of the United States of America.

(4) In an urgent case, a motion may be made before the commencement of a proceeding on the moving party's undertaking to commence the proceeding forthwith. O. Reg. 807/84, s. 9, *part.*

17. Where the Court is satisfied that the circumstances of the case are urgent and that the delay necessary to serve notice of a motion or the serving of notice of a motion might have serious consequences, the Court may make without notice an order on motion. R.R.O. 1980, Reg. 939, r. 15.

18. Where the parties and the judge hearing a motion consent, a motion may be heard by means of a conference telephone call. O. Reg. 807/84, s. 10.

19.—(1) Evidence on a motion may be given,

(a) by affidavit;

(b) in the form of a transcript of the examination of a party or a witness; or

(c) with the permission of the Court, orally. R.R.O. 1980, Reg. 939, r. 16.

(2) An affidavit for use on a motion may contain statements of information received by the deponent and which the deponent believes to be true, if the source of the information and the fact of the belief are specified in the affidavit.

(3) Subrule (2) does not apply to a motion to find a person in contempt of court or for the discharge, variation or suspension of a final order. O. Reg. 807/84, s. 11.

20.—(1) Where two or more issues are joined in one proceeding and the Court is of the opinion that the issues cannot conveniently be disposed of in one proceeding, the Court may order that one or more of the issues be disposed of in a separate proceeding.

(2) Where the Court is of the opinion that two or more proceedings could be more conveniently disposed of in one proceeding, the Court may order that the proceedings be consolidated. R.R.O. 1980, Reg. 939, r. 17.

21.—(1) On motion, the Court may order a party or any other person to disclose facts relating to any matter in issue in the proceeding by one or more of the following means:

1. An affidavit providing the facts.
2. An affidavit answering specific questions stated in the order.
3. An affidavit answering questions submitted in writing by a party.
4. Submission to oral examination under oath.
5. An affidavit specifying relevant documents.
6. The production of relevant documents.
7. Any other means specified in the order. R.R.O. 1980, Reg. 939, r. 18 (1); O. Reg. 807/84, s. 12 (1).

(2) In an order under subrule (1), the Court may impose such terms and give such directions as the Court considers proper in the circumstances. R.R.O. 1980, Reg. 939, r. 18 (2).

(3) A party may use in evidence on a motion or at a hearing any part of the affidavit or examination under oath of an opposite party or, with the permission of the Court, any other person and, where the Court is of the opinion that the part ought not to be used except with another part of the affidavit or examination, the Court may direct that the other part be put in evidence. O. Reg. 807/84, s. 12 (2).

22. The Court may strike out all or part of any document filed in a proceeding, on such terms as the Court considers just, on the ground that the document or part,

(a) may prejudice or delay the fair hearing of the proceeding;

(b) is scandalous, frivolous or vexatious; or

(c) is an abuse of the process of the Court. O. Reg. 807/84, s. 13.

23. Where a party fails to comply with an order for interim relief and the Court is satisfied that the party is able to comply with the order, the Court may postpone the hearing or strike out the application, the answer or any affidavit of the party that failed to comply. O. Reg. 327/90, s. 2, *part.*

24. The parties shall hold such informal discussions as are reasonably possible for the purpose of resolving or narrowing the issues in dispute as soon as reasonably possible after the commencement of the proceeding R.R.O. 1980, Reg. 939, r. 19.

25. As soon as reasonably possible after the commencement of a proceeding, the presiding judge shall enquire whether or not attempts have been made to resolve or narrow the issues in dispute, which issues have been resolved or narrowed and whether settlement by the parties of the issues remaining in dispute is likely. R.R.O. 1980, Reg. 939, r. 20.

26.—(1) The court shall convene a settlement conference before a judge or a person designated by a judge for the purpose of resolving or narrowing the issues or of settling the procedures at a hearing.

(2) A settlement conference may be held at any stage of the proceeding.

(3) After the filing of an answer, the court shall convene a meeting with a judge for the purpose of planning and giving directions for the timing of further steps in the proceeding and setting the date for a settlement conference.

(4) The person before whom a settlement conference is convened shall present to the parties, for their approval in writing, a memorandum in Form 3 of the matters agreed on by the parties, and the person shall file the memorandum unless the parties file a consent to a final order disposing of all issues.

(5) A judge before whom a settlement conference or a meeting under subrule (3) is held shall not preside at the hearing without the consent of the parties. O. Reg. 388/87, s. 2.

27. Subject to rule 103, and with the consent of the parties, the Court may make any order authorized by these rules or the Act governing the proceeding without a hearing. R.R.O. 1980, Reg. 939, r. 22.

28.—(1) A party may at any time, by serving a request to admit in Form 4, request any other party to admit, for the purposes of the proceeding only, the truth of a fact or the authenticity of a document.

(2) A copy of any document mentioned in the request to admit shall, where practicable, be served with the request, unless a copy is already in the possession of the other party.

(3) A party on whom a request to admit is served shall respond to it within twenty days after it is served by serving on the requesting party a response to request to admit in Form 5.

(4) Where the party on whom the request is served fails to serve a response as required by subrule (3), the party shall be deemed, for

the purposes of the proceeding only, to admit the truth of the facts or the authenticity of the documents mentioned in the request to admit.

(5) A party shall also be deemed, for the purposes of the proceeding only, to admit the truth of the facts or the authenticity of the documents mentioned in the request, unless the party's response,

(a) specifically denies the truth of a fact or the authenticity of a document mentioned in the request; or

(b) refuses to admit the truth of a fact or the authenticity of a document and sets out the reason for the refusal. O. Reg. 807/84, s. 15, *part.*

29.—(1) On request of a party, the clerk shall issue a summons to a witness in the prescribed form.

(2) Subrule (1) applies in addition to section 49 of the *Child and Family Services Act*, governing the issue of a summons to a witness.

(3) A summons to a witness shall be served on the witness together with the witness fee prescribed in the Tariff.

(4) A party who calls an adverse party as a witness may cross-examine the adverse party. O. Reg. 807/84, s. 15, *part.*

30.—(1) A party who intends to call an expert witness at a hearing shall, not less than ten days before the commencement of the hearing, serve on every other party to the proceeding a report, signed by the expert, setting out his or her name, address and qualifications and the substance of his or her proposed testimony.

(2) No expert witness may testify, except with the permission of the Court, unless subrule (1) has been complied with. O. Reg. 807/84, s. 15, *part.*

31.—(1) Where the Court is satisfied that a summons to a witness and the prescribed witness fee were served on a witness who failed to attend or to remain as required by the summons and that the presence of the witness is necessary for the determination of an issue in a proceeding, the Court may issue a warrant in Form 6 for the arrest of the witness and may cause the witness to be brought before the Court to be held in custody until the hearing in the proceeding or to be released on such terms as are contained in the warrant or as the Court considers proper. R.R.O. 1980, Reg. 939, r. 24.

(2) Where the warrant contains a provision for release on completion of a promise to appear, the promise to appear shall be in Form 7. O. Reg. 807/84, s. 16.

32. The Court may order that a witness who is incapable of attending or is otherwise not available to attend a hearing be examined under oath before a person named in the order at a place named in the order and may receive the transcript of the examination in evidence. R.R.O. 1980, Reg. 939, r. 25.

33. The judge hearing a proceeding may inspect, in the presence of the parties or their counsel, any property or place that is material to the proceeding. O. Reg. 807/84, s. 17, *part.*

34. The Court, on motion, may dismiss a motion, application or claim by a respondent for unreasonable delay. O. Reg. 807/84, s. 17, *part.*

35.—(1) Where a party is represented by a solicitor in a proceeding, the party's solicitor is responsible for preparing and submitting a draft order for signing by the clerk or by the judge who made the order.

(2) Where more than one party is represented by a solicitor in a proceeding, a solicitor who prepares a draft order before submitting it for signature shall obtain and file the approval of the other solicitor or solicitors.

(3) Where the approval required by subrule (2) cannot be obtained or the clerk is not satisfied that the form of the draft order is appropriate, the solicitor who submitted the draft order shall obtain an appointment with the clerk or with the judge who made the order to settle its terms. O. Reg. 807/84, s. 17, *part.*

36. Where an order is made,

(a) at a hearing at which a party failed to appear through accident, mistake or insufficient notice;

(b) that contains an error arising from an accidental slip or omission;

(c) that requires amendment in any particular on which the Court did not adjudicate; or

(d) that ought to be set aside or varied on the ground of fraud or of facts arising or discovered after the order was made,

a party who is affected by the order may make a motion to have it set aside or varied. O. Reg. 807/84, s. 17, *part.*

37.—(1) The Court, at any time in a proceeding, may direct a reference to the clerk or a person agreed on by the parties to determine an issue relating to,

(a) the taking of accounts;

(b) the conduct of a sale;

(c) the enforcement of an order; or

(d) with the consent of the parties, any other matter.

(2) Where the Court directs a reference, the Court shall give such directions for the conduct of the reference as the Court considers necessary.

(3) The person to whom a reference is directed shall convene a hearing of the reference, may cause witnesses to be summoned and examined under oath and may determine what documents are to be produced on the hearing of the reference.

(4) The person who conducts a reference shall make and file a report on the reference and the report shall be served on the parties. O. Reg. 807/84, s. 18 (1).

(5) On motion by a party, the Court by order may confirm or may vary and confirm the report.

(6) Where no motion is made under subrule (5) within fifteen days after the report is filed, the clerk may present the report to the Court for confirmation.

(7) Where a report is presented to the Court under subrule (6), the Court may confirm the report or may require the parties to appear and make submissions in respect of the report. R.R.O. 1980, Reg. 939, r. 27 (4-6).

(8) Where submissions are made by the parties as mentioned in subrule (7), the Court may confirm the report, may vary and confirm the report or may refer the matter back to the person who conducted the reference with such directions as the Court considers proper. O. Reg. 807/84, s. 18 (2).

38. The solicitors' fees and other fees and disbursements set out or provided for in the Tariff may be allowed as costs in a proceeding. R.R.O. 1980, Reg. 939, r. 28.

39. The Court may order payment of a fixed amount for costs in place of costs determined in accordance with the Tariff. R.R.O. 1980, Reg. 939, r. 29.

40.—(1) Where costs are ordered to be paid and are not fixed by the Court, the amount of the costs shall be determined in accordance

with the Tariff by the clerk, and the clerk shall issue a certificate setting out the amount of the costs determined by the clerk.

(2) On the request of a party, the clerk shall withhold the certificate for not more than ten days to allow the party to file and serve on every other party written objections to the determination by the clerk as to any item of costs.

(3) Where a party has filed and served written objections under subrule (2), the clerk shall consider the objections and the submissions of the parties and shall reconsider his or her determination as to the items in respect of which objections have been filed and, if requested, shall give written reasons for his or her decision. R.R.O. 1980, Reg. 939, r. 30.

41. Where written objections have been filed and served under rule 40, a party may appeal the determination of costs by motion and the Court shall determine the costs by order. R.R.O. 1980, Reg. 939, r. 31.

42.—(1) A party acting by a solicitor may change the party's solicitor or may act in person by filing a notice of change of solicitor containing the consent of the new solicitor to act.

(2) A party acting in person may appoint a solicitor by filing a notice of appointment containing the consent of the solicitor to act.

(3) A notice filed under subrule (1) or (2) shall be served on every other party. R.R.O. 1980, Reg. 939, r. 32.

PART II
MATRIMONIAL PROCEEDINGS

43. This Part applies to all civil proceedings in the Court other than proceedings under the *Child and Family Services Act*. O. Reg. 807/84, s. 19.

44. The parties, at any time by consent in writing without an order, may lengthen or shorten a period of time prescribed by these rules or by an order of the Court for the taking of a step in a proceeding. R.R.O. 1980, Reg. 939, r. 34.

45.—(1) A party to a proceeding or an intended proceeding may make a motion for an order that all or part of the proceeding be referred to arbitration.

(2) The Court may make an arbitration order only if all of the parties have signed an agreement consenting to,

(a) the referral of the proceeding or part to arbitration;

(b) the issues to be arbitrated;

(c) the payment of the arbitrator's fees; and

(d) the procedure to be used for the arbitration.

(3) An arbitration order may provide for,

(a) the naming of the arbitrator;

(b) the payment of the arbitrator's fees;

(c) the disclosure of evidence before the arbitration;

(d) the recording or transcription of the arbitration;

(e) the provision of legal representation for a minor; and

(f) any other matter agreed upon by the parties concerning the arbitration.

(4) A person may be named as arbitrator only if he or she has consented in writing to act as arbitrator according to the terms of the agreement referred to in subrule (2).

(5) The Court on motion may set aside an arbitration order before the arbitration begins if a party has failed to comply with,

(a) a term of the order; or

(b) an agreement between the parties concerning disclosure of evidence before the arbitration, payment of the arbitrator's fees or any other matter that would substantially affect the arbitration.

(6) The arbitrator shall serve the award on each party and file it with the clerk within sixty days after completing hearing of the evidence.

(7) The award shall contain,

(a) the name of the arbitrator and the date of the award;

(b) the date and place of the hearing;

(c) the names of the parties who were present or represented by counsel and those who were not;

(d) the names of any witnesses;

(e) any other particulars necessary to understand the award;

(f) a statement of the facts as determined by the arbitrator; and

(g) a statement of the reasons for the award.

(8) If the parties have not agreed before an arbitration begins that the award is to be final, the Court, on motion made by a party within fifteen days after being served with the award, may set it aside if,

(a) the arbitrator has made an error, in law or in fact, that had a substantial effect on the award; or

(b) the party was denied natural justice.

(9) The only evidence on a motion to set aside an award shall be the arbitration order, the award and the recording or transcript of the arbitration, if any, unless the Court permits otherwise.

(10) On a motion to set aside an award, the Court may confirm the award, vary it or refer it back to the arbitrator, with directions, for further consideration.

(11) After the award has been filed with the clerk, a party to the arbitration is entitled to an order in accordance with the terms of the award. O. Reg. 327/90, s. 2, *part.*

46. Where custody of or access to a child is in issue in a proceeding, each parent, guardian and person having care and control of the child shall be made a party unless the Court orders otherwise. R.R.O. 1980, Reg. 939, r. 36.

47.—(1) Where a party dies after the commencement of a proceeding, the Court on motion without notice by order may substitute the legal representative of the deceased party as a party in place of the deceased party.

(2) Where it appears to the Court that there is no legal representative of the deceased party, the Court by order on motion without notice to any person other than the person to be appointed may appoint a person to act as the representative of the deceased party in the proceeding. R.R.O. 1980, Reg. 939, r. 37.

48.—(1) An application shall be in Form 8.

(2) An application may contain a claim against more than one respondent and may contain more than one claim against a respondent. R.R.O. 1980, Reg. 939, r. 38 (1, 2).

(3) Where the applicant claims support, a division of property or custody of a child, the applicant shall file a financial statement in Form 9, with the application. R.R.O. 1980, Reg. 939, r. 38 (3); O. Reg. 324/86, s. 3 (1).

49.—(1) A notice of hearing shall be in Form 11. R.R.O. 1980, Reg. 939, r. 39 (1).

(2) The application, the notice of hearing and the financial statement shall be served together,

(a) on every party other than the applicant; and

(b) where the applicant is an assignee under subsection 34 (3) of the *Family Law Act*, on the assignor. R.R.O. 1980, Reg. 939, r. 39 (2); O. Reg. 93/86, s. 1; O. Reg. 324/86, s. 4; O. Reg. 327/90, s. 3.

(3) An affidavit of service shall be in Form 12. R.R.O. 1980, Reg. 939, r. 39 (3).

50.—(1) An application shall be served no later than,

(a) twenty-five days before the day set for hearing, where the application is served in Ontario;

(b) forty-five days before the day set for hearing, where the application is served elsewhere in Canada or in the United States of America; or

(c) sixty-five days before the day set for hearing, where the application is served anywhere else. O. Reg. 327/90, s. 4.

(2) Where an application is not served within the time prescribed by subrule (1), upon the request of the applicant the clerk shall set a new day for hearing, issue a new notice of hearing and seal the notice of hearing with the seal of the Court, but thereafter a new day for hearing shall be set only by the Court. R.R.O. 1980, Reg. 939, r. 40 (2).

51.—(1) An applicant may amend the application once without order of the Court, but not so as to add or to require the adding of a party.

(2) An application amended under subrule (1) shall be filed not later than five days after service of the answer on the applicant and shall be served on every party other than the applicant. R.R.O. 1980, Reg. 939, r. 41.

52.—(1) A respondent shall file an answer in Form 13,

(a) within twenty days after service of the application, where the application is served in Ontario;

(b) within forty days after service of the application, where the application is served elsewhere in Canada or in the United States of America; or

(c) within sixty days after service of the application, where the application is served anywhere else.

(2) The answer shall be served on every other party. O. Reg. 327/90, s. 5.

(3) Where an amended application is filed and served, a respondent may amend the respondent's answer once without order of the Court and the amended answer shall be filed not later than five days after service of the amended application on the respondent, and the amended answer shall be served on every other party. R.R.O. 1980, Reg. 939, r. 42 (2).

(4) Where the applicant or the respondent claims support, a division of property or custody of a child, the respondent shall file a financial statement in Form 9 with the answer, and the financial statement shall be served with the answer. O. Reg. 324/86, s. 5.

(5) Where a respondent does not file an answer within the time prescribed by subrule (1), the clerk may set a new day for hearing without notice to the respondent and the respondent is not entitled to notice of any further steps in the proceeding unless the Court orders otherwise. R.R.O. 1980, Reg. 939, r. 42 (5).

53. An answer may contain a claim against any other party and against any other person. R.R.O. 1980, Reg. 939, r. 43.

54. Where an answer is filed that contains a claim against a person not a party, the clerk shall issue under the seal of the Court a notice to added party in Form 14 adding the person as a party. O. Reg. 807/84, s. 22, *part.*

55. The notice to added party, the answer and the application shall be served together on the party added under rule 54. O. Reg. 807/84, s. 22, *part.*

56.—(1) A party added under rule 54 shall file a reply in Form 15 on or before the tenth day after service of the notice of claim by respondent, and the reply shall be served on every other party. R.R.O. 1980, Reg. 939, r. 46 (1).

(2) Where the respondent claims support, a division of property or custody of a child against a party added under rule 54, the added party shall file a financial statement in Form 9 with the added party's reply, and the financial statement shall be served with the reply. R.R.O. 1980, Reg. 939, r. 46 (2); O. Reg. 324/86, s. 5.

57.—(1) An applicant may file a reply in Form 16 on or before the fifth day after service of the answer, and the reply shall be served on every other party.

(2) Where an amended answer is filed and served, an applicant may amend the applicant's reply once without order of the Court and the amended reply shall be filed not later than five days after service of the amended answer on the applicant, and the amended reply shall be served on every other party. R.R.O. 1980, Reg. 939, r. 47 (1, 2).

(3) Where the respondent claims support, a division of property or custody of a child against an applicant who has not filed a financial statement in Form 9, the applicant shall file a financial statement in Form 9 with the reply, and the financial statement shall be served with the reply. R.R.O. 1980, Reg. 939, r. 47 (3); O. Reg. 324/86, s. 7 (1).

58.—(1) A party who serves an application or answer on another party shall, at the same time, serve on the other party a notice indicating whether the party serving the application or answer is willing to consider any of the following specific alternatives to a court proceeding:

1. An assessment.
2. Mediation.
3. Arbitration.
4. A meeting involving all of the clients and counsel.
5. Any other alternative to a court proceeding.

(2) The party shall indicate in the notice if there are any people the party would suggest to conduct the assessment, mediation, arbitration or other alternative.

(3) The notice may be produced to a judge or court officer presiding over a first meeting or a settlement conference but shall not be produced to a judge or court officer presiding over a hearing. O. Reg. 327/90, s. 6, *part.*

59. In an application in which a claim is made for a division of property, each spouse shall deliver a net family property statement in

Form 17 at least seven days before a settlement conference and the hearing. O. Reg. 324/86, s. 8; O. Reg. 327/90, s. 6, *part.*

60.—(1) A party may file in a sealed envelope an offer to settle a proceeding on the terms set out in the offer, and the offer shall be served on the party to whom the offer is made.

(2) The offer may be accepted at any time before the Court makes an order disposing of an issue in respect of which the offer is made by filing and serving an acceptance on the party who made the offer.

(3) The offer may be withdrawn at any time before the offer is accepted by filing and serving a notice of withdrawal on the party to whom the offer was made.

(4) Where an offer is accepted, the Court may incorporate the offer into an order.

(5) Where an offer is made and not accepted, the Court shall examine and take into account the terms of the offer only for the purpose of determining costs. R.R.O. 1980, Reg. 939, r. 48.

61.—(1) A notice of motion shall be in Form 18.

(2) An affidavit in support of a motion shall be in Form 19.

(3) A summons to a witness shall be in Form 20.

(4) An order, other than an order on motion without notice, shall be in Form 21. R.R.O. 1980, Reg. 939, r. 49.

62.—(1) Where the Court makes an order on motion without notice, the clerk shall issue the order under the seal of the Court in Form 22.

(2) An order referred to in subrule (1) and any material filed on the motion for the order shall be served together within such period of time as the Court directs on every party other than the party who made the motion.

(3) The Court may make an order dispensing with any provision of subrules (1) and (2).

(4) On motion made by a person named in an order referred to in subrule (1), the Court may vary or discharge the order. R.R.O. 1980, Reg. 939, r. 50.

63.—(1) Where, in an application or answer, a party claims an interest in or right to possession of land, the Court on motion without notice may issue a certificate of pending litigation in Form 23. O. Reg. 807/84, s. 23.

(2) The affidavit in support of a motion under subrule (1) shall contain a description of the land sufficient for registration and the municipal address of the land. R.R.O. 1980, Reg. 939, r. 51 (2); O. Reg. 324/86, s. 9.

64. A party who intends to rely on an amended financial statement at the hearing shall serve it at least ten days before the hearing.

65. Before the hearing in a proceeding, the applicant shall prepare and file a record containing a table of contents, the application, the answer, the reply, the notice to added party, the reply by the added party, the financial statements, the net family property statements, the settlement conference memorandum, the Official Guardian's notice of intention to investigate, the Official Guardian's report, any dispute of the Official Guardian's report, any interim order made in the proceeding and any order or direction affecting the hearing in the proceeding. O. Reg. 388/87, s. 4.

66.—(1) Where the Official Guardian intends to investigate and report to the Court concerning custody of or access to a child, he or she shall serve notice of that intention (Form 31) on the parties and shall file a copy of the notice with proof of service.

(2) Service of the notice on a party who has been noted in default shall be effected by mail addressed to the party at the party's last known address, unless the Court orders otherwise.

(3) Where the Official Guardian has served notice, a party who subsequently serves an answer, reply or notice of motion or any other document that relates to custody of or access to the child or relates to the child's support or education shall also serve it on the Official Guardian within the time prescribed for service on the parties.

(4) Where the Official Guardian has served notice, he or she has the right to discovery in respect of any matter that relates to custody of or access to the child or relates to the child's support or education.

(5) The Official Guardian shall serve his or her report on the parties interested in custody of or access to the child or in the child's support or education, within sixty days after serving notice under subrule (1), and shall then forthwith file a copy of the report and supporting affidavit, if any, with proof of service.

(6) Subrule (2) applies, with necessary modifications, to service of the report.

(7) A party on whom the report is served may dispute a statement in it or in any supporting affidavit by serving a concise statement of the nature of the dispute on every other party interested in custody of or access to the child or in the child's support or education, and on the Official Guardian, and filing the statement with proof of service, within fifteen days after service of the report.

(8) Where the Official Guardian has served notice under subrule (1), the action shall not be tried and a motion for judgment shall not be heard until,

(a) all disputes have been filed or the time for filing disputes has expired; or

(b) every party interested in custody of or access to the child or in the child's support or education has filed a waiver (Form 32) of the right to dispute the report. O. Reg. 388/87, s. 5.

67. The Court may order a person or agency, with the consent of the person or agency, to make an investigation related to a proceeding in which support or custody of or access to a child is in issue, may order a party or parties to pay the costs of the investigation and may receive evidence resulting from the investigation. R.R.O. 1980, Reg. 939, r. 53.

68. The person or agency making an investigation under rule 67 shall file a report of the investigation and the report shall be served on all parties before the hearing. R.R.O. 1980, Reg. 939, r. 54.

69. A party may summon as a witness and cross-examine a person who made an investigation under rule 67 and may give evidence in reply. R.R.O. 1980, Reg. 939, r. 55.

70.—(1) In an application for support, the Court on motion may order that a party attend on a specified qualified person for an assessment of his or her vocational aptitudes and abilities.

(2) Where an order is made against a party under this rule, the party shall answer the questions of the specified person that are relevant to the assessment. O. Reg. 327/90, s. 7.

71. Evidence at the hearing in a proceeding may be given by affidavit with the permission of the Court, but the affidavit shall be confined to facts within the personal knowledge of the person making the affidavit. R.R.O. 1980, Reg. 939, r. 56.

72.—(1) Where the Court makes a provisional order for confirmation by another court, the clerk shall send to the confirming court or, where the confirming court is outside Ontario, to the Attorney General for transmission to the confirming court, under the certificate of the clerk in Form 24, three copies of each of the following:

1. The application.

2. The applicant's financial statement.

3. The transcript of the applicant's evidence and, where reasonably possible, the exhibits.

4. The provisional order.

5. A statement of information to identify the respondent.

6. A copy of the relevant provisions of the *Family Law Act* and the *Reciprocal Enforcement of Support Orders Act*, where the confirming court is outside Ontario.

7. Where the respondent is served with a notice of hearing and the Court makes a provisional order for confirmation by another court, the notice of hearing and proof of service of the notice of hearing. R.R.O. 1980, Reg. 939, r. 57 (1); O. Reg. 653/82, s. 1; O. Reg. 807/84, s. 25 (1); O. Reg. 93/86, s. 2.

(2) Where the Court receives for confirmation a provisional order made by an originating court in a reciprocating state within the meaning of the *Reciprocal Enforcement of Support Orders Act*, the applicant is not required to file a financial statement.

(3) Where the Court receives a provisional order for confirmation, the respondent shall be served with,

(a) a notice of confirmation hearing in Form 26; and

(b) the material in the proceeding sent by the originating court.

(4) Where the Court receives from a confirming court a request for further evidence, every party other than the respondent shall be served with,

(a) a notice of hearing for further evidence in Form 27; and

(b) the material in the proceeding sent by the confirming court.

(5) Where, before confirming a provisional order, the Court has requested and received further evidence from the originating court, the respondent shall be served with,

(a) a notice of resumption of hearing in Form 28; and

(b) the further evidence in the proceeding sent by the originating court. R.R.O. 1980, Reg. 939, r. 57 (2-5).

(6) Where the Court has remitted the case to the originating court for the taking of further evidence, the clerk shall send to the originating court two copies of the transcript of evidence taken before the Court on the confirmation hearing and, where reasonably possible, the exhibits. O. Reg. 807/84, s. 25 (2).

73.—(1) Where the Attorney General refers a request of an extra-provincial tribunal to the Court under section 33 of the *Children's Law Reform Act*, the clerk shall issue a summons in Form 29 requiring the person named in the request to attend before the Court and to produce or give evidence in accordance with the request.

(2) The summons and a copy of the request of the extra-provincial tribunal, and any supporting material that accompanied the request shall be served on the person named in the request at least five days before the person is required to attend before the Court.

(3) Where the person named in the request is not a party to the proceeding before the extra-provincial tribunal and the summons requires the person to give oral evidence, the witness fee prescribed in the Tariff shall be served on the person with the summons.

(4) A copy of the summons shall be served on the Attorney General within the time prescribed by subrule (2).

(5) Where the summons does not require the person to give oral evidence, the person may file with the clerk the evidence required, verified by the affidavit of the person.

(6) Where the summons requires the person to give oral evidence, the person shall attend before the Court to be examined in accordance with the summons.

(7) The clerk shall send to the extra-provincial tribunal a certified copy of evidence produced or given under this rule.

(8) Rule 31 applies with necessary modifications in respect of a person who, after having been served in accordance with subrules (2) and (3), fails to comply with the summons. O. Reg. 653/82, s. 2.

74. Where a request is made to the Court to discharge, vary or suspend an order for support or for custody of a child, the applicant and the respondent shall each file a financial statement in Form 9 and the financial statement of each of them shall be served on every other party. R.R.O. 1980, Reg. 939, r. 58; O. Reg. 324/86, s. 11.

75. A notice of registration of order under the *Reciprocal Enforcement of Support Orders Act* shall be in Form 25. O. Reg. 807/84, s. 26.

PART III
DIVORCE PROCEEDINGS

76.—(1) This Part applies to applications that contain a claim for a divorce.

(2) Except as otherwise provided in this Part, Parts I, II and VI of these rules apply to applications governed by this Part. O. Reg. 324/86, s. 12, *part.*

77.—(1) Spouses may commence a divorce application jointly without a respondent.

(2) A joint application for divorce shall not contain a claim for any relief other than a divorce and, if applicable, an order on consent. O. Reg. 324/86, s. 12, *part.*

78.—(1) In an application in which it is alleged that the respondent has committed adultery, it is not necessary to set out the name of the other person alleged to be involved.

(2) Where the application sets out the name, it shall be served on the person unless the Court orders otherwise. O. Reg. 324/86, s. 12, *part.*

79.—(1) The notice of hearing shall be in Form 30.

(2) A certificate of the marriage or of the registration of the marriage shall be filed with the application unless the application states that it is impossible to obtain the certificate or that the certificate will be filed before the hearing. O. Reg. 324/86, s. 12, *part.*

80.—(1) A respondent in an application governed by Part II or this Part may ask for a divorce by filing an answer in Form 13 and, except where the applicant has filed a certificate of the marriage or of the registration of the marriage, subrule 79 (2) applies with necessary modifications.

(2) Rule 78 applies with necessary modifications to an answer. O. Reg. 324/86, s. 12, *part.*

81.—(1) A hearing shall not be held before the clerk receives,

(a) a certificate of the marriage or the registration of the marriage, unless the application or answer states that it is impossible to obtain one; and

(b) a report in accordance with the *Divorce Regulations* (Canada) as to whether or not another divorce proceeding has been commenced between the parties.

(2) The judge hearing the application may, in a proper case, adjourn it and direct that the clerk forthwith give notice to the Attorney General of the proceeding, its state and the reasons of the judge for directing that notice be given.

(3) Where notice is given, the Attorney General may appear by counsel on the adjourned application and make submissions and otherwise participate in the proceeding to the extent that the judge allows. O. Reg. 324/86, s. 12, *part.*

82.—(1) In an undefended application, any evidence or information required to enable the Court to perform its duties under subsections 10 (1) and 11 (1) of the *Divorce Act* (Canada) (reconciliation and bars to divorce) and the evidence at the hearing may be presented by affidavit, unless the Court orders otherwise.

(2) Where the evidence and information referred to in subrule (1) are to be presented by affidavit, the clerk shall prepare a certificate in Form 33 and submit the certificate, the application, the affidavit in support of it and the draft judgment to a judge.

(3) The affidavit of the applicant in support of the application shall,

(a) contain sufficient information for the court to satisfy itself,

(i) that there is no possibility of the reconciliation of the spouses, or

(ii) that the circumstances of the case are of such a nature that it would clearly not be appropriate for the court to consider the possibility of the reconciliation of the spouses;

(b) confirm that all the information in the application is correct, except as specified in the affidavit;

(c) if the certificate of marriage or of registration of marriage filed is not signed and sealed by the Registrar General of Ontario, refer to the certificate by its title, date and place of issue and the name and office of the person who issued it and state that it contains the correct particulars of the marriage;

(d) if no certificate of marriage or of registration of marriage has been filed, state,

(i) what efforts have been made to obtain a certificate and why it is impossible to obtain one,

(ii) the date and place of marriage, and

(iii) sufficient particulars to prove the marriage;

(e) set out particulars of the grounds for divorce;

(f) state that there has been no agreement, conspiracy, understanding or arrangement to which the applicant is either directly or indirectly a party for the purpose of subverting the administration of justice, fabricating or suppressing evidence or deceiving the court;

(g) if the applicant is relying on the respondent's adultery or cruelty, state that the applicant has not condoned or connived at the act or conduct complained of, or if there has been condonation or connivance, set out the circumstances that indicate that the public interest would be better served by granting the divorce;

(h) provide particulars of the present and proposed custody and access arrangements in respect of each child of the marriage, if different from those set out in the petition;

(i) if the applicant claims support, provide particulars of his or her and the children's needs and of the respondent's means, with reference to the financial statements filed and set out particulars of any change in circumstances since the financial statements were filed;

(j) if the applicant does not claim a division of property, confirm that he or she does not wish to claim a division of property at this time and state that he or she is aware that a claim for a division of property may be barred after the divorce;

(k) if the applicant wishes to include in the order terms of a consent, settlement, separation agreement or previous court order, refer to the document as an exhibit and refer to the specific provisions to be included;

(l) if the applicant claims costs, set out sufficient facts to enable the court to determine whether costs should be awarded;

(m) if the applicant seeks to have the divorce take effect earlier than thirty-one days after it is granted, set out the special circumstances that justify the earlier effective date, state that the spouses have agreed that no appeal will be taken from the order and refer to the agreement as an exhibit; and

(n) provide the respondent spouse's last known address.

(4) An affidavit made by a respondent spouse in support of the application shall,

(a) state that the respondent is the applicant's spouse;

(b) provide the respondent's address for service of the order;

(c) if the applicant is relying on the respondent's adultery and the respondent is prepared to admit the adultery, state that the respondent is aware that he or she is not obliged to give evidence that he or she has committed adultery, but that he or she is willing to give that evidence;

(d) contain the matters referred to in clauses (a), (b), (f), (g), (h) and (i) of subrule (3); and

(e) if the respondent does not claim a division of property, confirm that he or she does not wish to claim a division of property at this time and state that he or she is aware that a claim for a division of property may be barred after the divorce.

(5) If the respondent asks for a divorce, subrules (3) and (4) apply and references to the application and applicant shall be deemed to be references to the answer and respondent.

(6) Where a person with whom a respondent spouse is alleged to have committed adultery is prepared to admit the adultery and files an affidavit in support of the application, the affidavit shall state that the person is aware that he or she is not obliged to give evidence that the respondent spouse committed adultery with him or her, but that he or she is willing to give that evidence. O. Reg. 324/86, s. 12, *part.*

(7) Where the evidence and information referred to in subrule (1) are to be presented by affidavit, the Court may,

(a) grant a divorce without an appearance by counsel or the applicant; or

(b) direct that counsel or the applicant appear or that oral evidence be presented. O. Reg. 388/87, s. 7.

83.—(1) Where the claim for a divorce is uncontested but other relief claimed in the proceeding is contested, a party may move for a divorce judgment.

(2) Subrules 82 (1) and (2) apply, with necessary modifications, to a motion under subrule (1).

(3) The affidavit filed by the party making the motion shall contain the matters referred to in clauses 82 (3) (a) to (g).

(4) An affidavit filed by the other party in support of the motion shall contain the matters referred to in clauses 82 (3) (f) and (g) and 82 (4) (a) to (c).

(5) Subrules 82 (6) and (7) apply, with necessary modifications, to a motion under subrule (1). O. Reg. 388/87, s. 8.

84. A judgment granting a divorce shall be in Form 28. O. Reg. 324/86, s. 12, *part.*

85. The party asking for a divorce shall file four copies of the draft divorce judgment in Form 34, a stamped envelope addressed to each of the parties and, where the Official Guardian has prepared a report in the application, a stamped envelope addressed to the Official Guardian. O. Reg. 324/86, s. 12, *part.*

86. If a divorce is granted in accordance with the draft judgment filed, the clerk shall forthwith sign the judgment and mail a copy of it in each envelope provided under rule 85. O. Reg. 324/86, s. 12, *part.*

87. If a divorce is to be granted but not in accordance with the draft judgment filed, the judge shall hear submissions on behalf of the applicant and shall not grant the divorce until the appropriate draft judgment is filed. O. Reg. 324/86, s. 12, *part.*

88.—(1) Where the application was commenced in the Court and a divorce was granted, the clerk shall issue a certificate of divorce when,

(a) the divorce has taken effect;

(b) a request has been filed with the registrar, accompanied by an affidavit sworn after the divorce took effect and stating that,

(i) no appeal from the divorce is pending, or any such appeal has been abandoned or dismissed, and

(ii) no order has been made extending the time for appealing from divorce, or if any such order has been made, the extended time has expired without an appeal being taken; and

(c) the clerk has searched the court records and ascertained that there is no indication that the affidavit is incorrect.

(2) A certificate of divorce shall be in Form 35. O. Reg. 324/86, s. 12, *part.*

PART IV
CHANGE OF NAME

89. An application under subsection 7 (3) of the *Change of Name Act* to review the Registrar General's refusal of a change of name shall be made within thirty days after the applicant is notified of the refusal. O. Reg. 388/87, s. 9.

PART V
PROTECTION, ADOPTION AND SECURE TREATMENT PROCEEDINGS

90. In this Part,

"Act" means the *Child and Family Services Act*;

"Director" means an employee of the Ministry of Community and Social Services appointed as a Director under the Act. R.R.O. 1980, Reg. 939, r. 59; O. Reg. 571/85, s. 2.

91. This Part applies to proceedings under the Act. R.R.O. 1980, Reg. 939, r. 60.

92.—(1) An application filed to commence a proceeding shall be in Form 36 (general application), Form 37 (protection application), Form 38 (status review application), Form 39 (application for adoption) or Form 40 (secure treatment application; extension application). O. Reg. 571/85, s. 3 (1).

(2) A notice of hearing shall be in Form 43.

(3) A notice of motion shall be in Form 44.

(4) An affidavit in support of a motion shall be in Form 45. R.R.O. 1980, Reg. 939, r. 62 (2-4).

(5) A consent to secure treatment shall be in Form 41 (general) or Form 42 (child). O. Reg. 571/85, s. 3 (2).

93.—(1) An affidavit of service shall be in Form 46.

(2) A summons to a witness shall be in Form 47. R.R.O. 1980, Reg. 939, r. 63.

94. Where a party makes a request for an order that is ancillary to the determination of the main issue in the proceeding, the request shall be by motion. O. Reg. 571/85, s. 4.

95. In an adoption proceeding,

(a) the child to be adopted may be identified in any document in the proceeding by the child's given names in full followed by the first letter of the child's surname and the child's birth registration number; and

(b) the applicant may be identified in any document in the proceeding, other than the adoption order, by the first letter of the applicant's surname. R.R.O. 1980, Reg. 939, r. 65.

96. An application for an adoption shall be filed with the court together with,

(a) a certified copy of the statement of live birth of the child to be adopted or where unobtainable, other proof of the date of birth satisfactory to the court;

(b) where the child is a Crown ward,

(i) the consent of a Director in Form 48,

(ii) a certified copy of any order under Part III of the Act terminating access to the child, and

(iii) a certified copy of the order of Crown wardship;

(c) where the child is not a Crown ward and is placed for adoption by a licensee under Part VII of the Act,

(i) evidence that the licensee is a licensee entitled to place the child for adoption under the Act,

(ii) a certified copy of any outstanding order made under any Act respecting custody of or access to the child of which the person placing the child for adoption has knowledge,

(iii) the consent in Form 49 of every person other than an applicant or a person who has filed a consent in Form 50 under clause (h) who is a parent of the child within the meaning of the Act or who has lawful custody or control of the child and of whom the person placing the child for adoption has knowledge, and

(iv) an affidavit of a licensee under Part VII of the Act stating,

(A) that the licensee has made reasonable inquiries as to the matters deposed to,

(B) that the licensee has no knowledge of any outstanding order, or stating the particulars of any outstanding order of which the licensee has knowledge, respecting custody of or access to the child,

(C) that the licensee has no knowledge of any person who is a parent of the child within the meaning of the Act or stating the particulars of any such other person of whom the licensee has knowledge,

(D) that the licensee has no knowledge of any other person who has lawful custody or control of the child or stating the particulars of any such other person of whom the licensee has knowledge,

(E) that the licensee has no knowledge of any other adoption application in respect of the child or stating the particulars of any such other application of which the licensee has knowledge,

(F) that the licensee has no knowledge of any recission or withdrawal of a consent to adoption, and

(G) that the licensee has given any person being adopted who is seven years of age or more and any parent an opportunity to seek counselling and independent legal advice with respect to the consent;

(d) where the child is not a Crown ward and is not placed for adoption by a licensee,

(i) a certified copy of any outstanding order made under any Act respecting custody of or access to the child of which any applicant has knowledge,

(ii) the consent in Form 49 of every person other than an applicant or a person who has filed a consent in Form 50 under clause (h) who is a parent within the meaning of the Act or who has lawful custody or control of the child and of whom any applicant has knowledge, and

(iii) an affidavit of each applicant in a relative or stepparent adoption within the meaning of Part VII of the Act or, if the child is not a Crown ward and is placed for adoption by a children's aid society, an affidavit of an employee of the society authorized for that purpose, stating,

(A) that the applicant has made reasonable inquiries as to the matters deposed to,

(B) that the applicant has no knowledge of any outstanding order, or stating the particulars of any outstanding order of which the applicant has knowledge, respecting custody of or access to the child,

(C) that the applicant has no knowledge of any other person who is a parent of the child within the meaning of the Act or stating the particulars of any such other person of whom the applicant has knowledge,

(D) that the applicant has no knowledge of any other person who has lawful custody or control of the child or stating the particulars of any such other person of whom the applicant has knowledge, and

(E) that the applicant has not made any other adoption application in respect of the child or stating the particulars of any such other adoption application;

(e) where the child is seven years of age or over, the consent of the child in Form 52;

(f) where the child is married, the consent of the child's spouse;

(g) where the child is under sixteen years of age or sixteen years of age or more but has not withdrawn from parental control and has not been married and a report on the adjustment of the child in the home of the applicant is required, the report;

(h) where the applicant has a spouse within the meaning of the *Human Rights Code*, who has not joined in the application, the consent of that spouse in Form 50;

(i) where applicable, the recommendation in Form 53 by a Director or in Form 54 by the local director of the children's aid society, as the case may be; and

(j) an affidavit of adopting parent in Form 51. R.R.O. 1980, Reg. 939, r. 66; O. Reg. 807/84, s. 30; O. Reg. 571/85, s. 5; O. Reg. 93/86, s. 3.

97.—(1) The consent of a child, parent or person with lawful custody or control of a child shall be witnessed by an employee of a children's aid society authorized by the society for the purpose or by an employee of a child protection agency recognized by the jurisdiction in which the consent is executed. O. Reg. 807/84, s. 31.

(2) Where a parent or a person with lawful custody or control of the child is under eighteen years of age, the consent must be accompanied by the report of the Official Guardian in Form 55 stating that the Official Guardian is satisfied that the consent reflects the true informed wishes of the person giving the consent. R.R.O. 1980, Reg. 939, r. 67 (2).

98.—(1) In a proceeding under Part III of the Act, the application and the notice of hearing shall be served on every party other than the applicant and on a foster parent who is entitled under the Act to notice of the hearing. R.R.O. 1980, Reg. 939, r. 68; O. Reg. 571/85, s. 6 (1).

(2) In a proceeding under Part VI of the Act, the application and the notice of hearing shall be served on,

(a) the child;

(b) any parent referred to in subsection 3 (2) of the Act; and

(c) any other person having actual care and control of the child who is neither a foster parent nor a service provider as defined in subsection 3 (1) of the Act. O. Reg. 571/85, s. 6 (2).

99. A warrant to search for and detain a child shall be in Form 56 and an information to obtain such a warrant shall be in Form 57. O. Reg. 807/84, s. 32.

100. Despite rules 11 and 12, in an application for an order finding a child to be a child in need of protection or committing a child to secure treatment, the application and notice of hearing may be served without being issued by the clerk under the seal of the Court but must be filed at or before the hearing required by subsection 47 (1) of the Act. R.R.O. 1980, Reg. 939, r. 70; O. Reg. 571/85, s. 7; O. Reg. 93/86, s. 4.

101. Where an application has not been served before the day set for hearing, on the request of the applicant the clerk shall set a new day for hearing and issue a new notice of hearing under the seal of the Court. R.R.O. 1980, Reg. 939, r. 71.

102. Notice of a motion to transfer a proceeding under Part III of the Act to another county shall be served on the children's aid society in the other county. O. Reg. 571/85, s. 8.

103. The Court shall not make an order on consent of the parties under subsection 57 (1) (supervision or wardship), section 114 or 120 (secure treatment) or section 151 (adoption) of the Act unless the parties agree on the facts on which the order is based and a hearing is held. O. Reg. 571/85, s. 10.

104. Where the report of an assessment ordered under section 54 or 116 of the Act is filed, a party may summon as a witness and cross-examine the person who made the assessment and may give evidence in reply. R.R.O. 1980, Reg. 939, r. 76; O. Reg. 571/85, s. 11.

105.—(1) Where the Court makes an order on motion without notice, the clerk shall issue the order under the seal of the Court in Form 58. O. Reg. 807/84, s. 34, *revised.*

(2) An order referred to in subrule (1) and any material filed on the motion for the order shall be served together within such period of time as the Court directs on every party other than the party who made the motion.

(3) The Court may make an order dispensing with any provision of subrules (1) and (2).

(4) On motion made by a person named in an order referred to in subrule (1), the Court may vary or discharge the order. R.R.O. 1980, Reg. 939, r. 77 (2-4).

106.—(1) An order other than an order on motion without notice shall be in Form 59 (general form of order), Form 60 (order on protection, access or status review application) or Form 61 (adoption order).

(2) An order for Crown wardship shall be served on the parties and a Director. O. Reg. 807/84, s. 35, *part.*

(3) In addition to the persons mentioned in subsection 162 (3) of the Act, an order for adoption shall be served on,

(a) the applicant's solicitor or, where the applicant does not have a solicitor, the applicant;

(b) a Director;

(c) where the child is entitled to be heard in the proceeding, the child's solicitor or, where the child does not have a solicitor, the child; and

(d) such other persons as the Court directs. O. Reg. 807/84, s. 35, *part*; O. Reg. 571/85, s. 12 (1).

(4) An order for secure treatment shall be served on the persons who were served with the application or as directed by the court. O. Reg. 571/85, s. 12 (2).

107. Within seven days after service on the clerk of a notice of appeal of an order or decision under the Act, the clerk shall send to the local registrar of the Ontario Court (General Division) at Toronto,

(a) a record of the proceeding consisting of,

(i) a table of contents,

(ii) a copy of the notice of appeal,

(iii) a copy of the decision appealed from and any reasons given by the Court, and

(iv) such other material that was before the Court as is necessary for the hearing of the appeal; and

(b) a certificate of the Court reporter stating that the appellant has ordered the transcript of the oral evidence taken in the proceeding. O. Reg. 807/84, s. 35, *part.*

PART VI
ENFORCEMENT

108. The provisions of this Part that apply to orders apply with necessary modifications to domestic contracts and paternity agreements. O. Reg. 93/86, s. 6.

109. An affidavit filed with a domestic contract or paternity agreement under subsection 35 (1) of the *Family Law Act* shall be in Form 62. O. Reg. 93/86, s. 7, *part.*

110. An order for the payment of money may be enforced by a writ of seizure and sale or by garnishment. O. Reg. 327/90, s. 8, *part.*

111.—(1) A request for the enforcement of an order for the payment of money shall be in Form 63.

(2) A statement of arrears under section 11 of the *Support and Custody Orders Enforcement Act* shall be in Form 64. O. Reg. 93/86, s. 7, *part*; O. Reg. 327/90, s. 8, *part.*

112. Upon the filing of a request for a writ of seizure and sale verified by affidavit in Form 65 and a copy of the order to be enforced, the clerk shall issue a writ of seizure and sale in Form 66 directed to a sheriff. O. Reg. 807/84, s. 36, *part.*

113. A writ of seizure and sale remains in force for six years, but may be renewed by the clerk or, where the writ has been filed with a sheriff, by the sheriff for successive periods of six years on the filing of a request for renewal of the writ. O. Reg. 807/84, s. 36, *part.*

114. The Court on motion without notice may renew an expired writ of seizure and sale. O. Reg. 807/84, s. 36, *part.*

115. Where a sheriff makes a seizure under a writ of seizure and sale, the sheriff shall publish a notice of sale at least ten days before the sale, specifying the date, time and place of the sale and giving a description of the property. O. Reg. 807/84, s. 36, *part.*

116. The sheriff shall make a report on the execution of a writ of seizure and sale and pay to the clerk on behalf of the creditor any money available for distribution to the creditor. O. Reg. 807/84, s. 36, *part.*

117. Where there are arrears under an order for support or maintenance, a creditor under the order may enforce payment of the arrears and future payments by obtaining a notice of garnishment from the clerk. O. Reg. 104/85, s. 1.

118. Upon the filing of a request for garnishment verified by affidavit in Form 67 and a copy of the order to be enforced, the clerk shall issue a notice of garnishment in Form 68. O. Reg. 807/84, s. 36, *part.*

119. A notice of garnishment issued by the clerk under section 9 of the *Support and Custody Orders Enforcement Act* shall be in Form 69. O. Reg. 93/86, s. 8.

120. On a garnishment hearing, the Court shall proceed in a summary manner to determine the rights of the parties. O. Reg. 388/87, s. 13.

121.—(1) The notice of garnishment shall be served on the debtor in accordance with rule 13 and on the garnishee by sending a copy of

the notice by ordinary mail addressed to the garnishee. O. Reg. 104/85, s. 2.

(2) The request for garnishment filed by the creditor shall be served on the debtor with the notice of garnishment.

(3) Where the garnishee is a bank, trust corporation, loan corporation, credit union, caisse populaire or the Province of Ontario Savings Office, the notice of garnishment shall be served at the branch where the debt is payable unless the notice sets out the number and location of the debtor's account, in which case, it may be served at any branch. O. Reg. 807/84, s. 36, *part.*

122. A notice of garnishment attaches, from the time of service on the garnishee, every debt payable by the garnishee to the debtor,

(a) at the time of service of the notice;

(b) within six years after service of the notice; and

(c) on the fulfillment of a term or condition within six years after service of the notice. O. Reg. 807/84, s. 36, *part.*

123.—(1) A debtor or a garnishee may file a dispute in Form 70 or 71 within ten days after service on the debtor or garnishee of the notice of garnishment.

(2) Where a debtor or a garnishee files a dispute, the clerk shall forthwith serve it on the other parties by ordinary mail.

(3) If, after being served with a notice of garnishment, the garnishee fails to make any payment or sufficient payment, the clerk shall forthwith serve the creditor with a confirmation of the failure or insufficiency by ordinary mail. O. Reg. 388/87, s. 10.

124.—(1) Where a dispute is filed or a garnishee fails to make any payment or sufficient payment, the clerk shall issue under the seal of the court a notice of garnishment hearing in Form 72 unless the creditor withdraws the notice of garnishment within ten days after being served with the dispute or with a confirmation that no money or insufficient money has been paid in by the garnishee.

(2) The clerk shall forthwith serve notice of the garnishment hearing on each of the parties by ordinary mail. O. Reg. 388/87, s. 11.

125. Where a notice of garnishment hearing is served in accordance with rule 124, the Court shall hear and determine the matter in a summary manner. O. Reg. 807/84, s. 36, *part.*

126. Where money is received by the clerk under a notice of garnishment, whether or not a dispute has been filed in respect of it, the clerk shall forthwith pay the money,

(a) to the creditor, except any amount that exceeds the priority conferred by subsection 4 (1) of the *Creditors' Relief Act*; and

(b) to the sheriff, the amount that exceeds the priority conferred by subsection 4 (1) of the *Creditors' Relief Act*,

unless the court orders that the money be held in court. O. Reg. 388/87, s. 12.

127. Where there has been a material change in the circumstances of the debtor or the creditor, the Court may vary or suspend any term of a notice of garnishment. O. Reg. 807/84, s. 36, *part.*

128. Where a garnishee does not file a dispute and does not pay to the clerk the full amount unpaid under the order referred to in the notice of garnishment, the Court may order payment by the garnishee of the amount unpaid. O. Reg. 807/84, s. 36, *part.*

129. An order under rule 128 may be enforced against the garnishee by a notice of garnishment or writ of seizure and sale. O. Reg. 807/84, s. 36, *part.*

130. Payment of a debt by a garnishee in accordance with a notice of garnishment to the extent of the payment, is a valid discharge of the debt. O. Reg. 807/84, s. 36, *part.*

131. A warrant of committal shall be in Form 73. R.R.O. 1980, Reg. 939, r. 94.

132. A notice of default issued by a clerk to a debtor under subsection 11 (2) of the *Support and Custody Orders Enforcement Act* shall be in Form 74. O. Reg. 93/86, s. 12.

133. A warrant under subsection 43 (1) or 59 (2) (absconding respondent) of the *Family Law Act* or subsection 11 (3) or 13 (1) (absconding debtor) of the *Support and Custody Orders Enforcement Act* shall be in Form 6 and, where the warrant contains a provision for release on completion of a promise to appear, the promise to appear shall be in Form 7. O. Reg. 93/86, s. 13.

134.—(1) A recognizance entered into under an order made under subsection 46 (1) of the *Family Law Act* shall be in Form 75 and shall be entered into before the clerk or such other person as the Court directs. R.R.O. 1980, Reg. 939, r. 96 (1); O. Reg. 93/86, s. 14.

(2) Where a party is in breach of a condition of the recognizance, the Court, on motion by an opposite party or the Attorney General, may order that a writ of execution be issued to enforce the recognizance. R.R.O. 1980, Reg. 939, r. 96 (2).

135. Subject to subsection 69 (3) of the *Child and Family Services Act* where an appeal is taken against an order of the Court, the order may be enforced pending the hearing of the appeal, except where otherwise ordered by the Court or by the appellate court. R.R.O. 1980, Reg. 939, r. 97; O. Reg. 571/85, s. 13.

136. A bond under section 35 (order restraining harassment) or 37 (prevention of unlawful removal of child) of the *Children's Law Reform Act* shall be in Form 76. O. Reg. 807/84, s. 38, *part.*

137. Part IV of Regulation 939 of Revised Regulations of Ontario, 1980, as it read on the 31st day of December, 1984, continues to apply to attachment orders made and writs of execution issued before the 1st day of January, 1985. O. Reg. 807/84, s. 38, *part*; O. Reg. 93/86, s. 15, *revised.*

TARIFF

PART I—SOLICITORS' FEES

Item		Amount
1.	Application, answer and reply, up to	$100
	This item includes all services, except motions, up to and including service and filing of a reply.	
	An increased fee may be allowed in the discretion of the clerk, up to	350
2.	Financial statements, up to	100
	An increased fee may be allowed in the discretion of the clerk.	
3.	Disclosure of documents, up to	100
	This item includes affidavits of documents, requests to inspect, production for inspection and inspection.	
	An increased fee may be allowed in the discretion of the clerk.	

4. Setting down for hearing $30

5. Pre-motion conference 75

This item includes preparation and counsel fee.

An increased fee and a fee to junior counsel may be allowed in the discretion of the clerk.

6. Motion, up to 75

This item includes notice of motion, affidavits, preparation, counsel fee and signing the order.

An increased fee and a fee to junior counsel may be allowed in the discretion of the clerk.

7. Examination or other disclosure on consent 75

This item includes all examinations and other forms of disclosure undertaken on consent, including preliminary steps, preparation and counsel fee.

An increased fee may be allowed in the discretion of the clerk.

8. Examination by order, up to 100

This item applies to each oral examination out of court that is not on consent, including preliminary steps, preparation and counsel fee.

An increased fee may be allowed in the discretion of the clerk.

9. Settlement conference 75

This item includes preparation, counsel fee and preparation of memorandum and order.

An increased fee and a fee to junior counsel may be allowed in the discretion of the clerk.

10. Notice or offer 35

This item applies to each notice, including offer to settle, notice of acceptance and notice of withdrawal of offer.

An increased fee may be allowed in the discretion of the clerk.

11. Preparation for hearing, up to 350

This item includes correspondence, brief at trial, summoning witnesses and counsel fee on settlement.

An increased fee may be allowed in the discretion of the clerk.

12. Hearing

This item includes counsel fee, written argument and attendance to hear judgment.

The fee to be allowed is in the discretion of the clerk. A fee to junior counsel may be allowed in the discretion of the clerk.

13. Order

To the party having carriage 35

To other parties 15

This item includes settling and signing an order, whether obtained on default or otherwise, where not included in item 6 or 9.

Subject to increase, in the discretion of the clerk, up to $100

14. Reference

This item includes all preliminary steps, notices, affidavits, appointments, attendances, correspondence, preparation, counsel fee on reference and preparing, settling, signing and confirming the report. The fee to be allowed is in the discretion of the clerk.

In a sale, additional fees may be allowed in the discretion of the clerk for arranging for a private sale or a sale by tender or for preparation of conditions of sale and the advertisement, arranging for advertising and for an auctioneer, conducting the sale, arranging for payment of the purchase price and for the preparation of a transfer where one is executed.

15. Issuing or renewing a writ of execution or notice of garnishment 15

16. Determination of costs, up to 75

17. For all services in uncontested divorce proceedings ... 400

NOTE:

A. Where for any reason the services covered by an item were not completed, the fee may be reduced by the clerk.

PART II — DISBURSEMENTS

18. Attendance money actually paid to a witness, to be calculated as follows:

(a) attendance allowance for each day of necessary attendance 50

(b) travel allowance, where the hearing or examination is held,

(i) in a city or town in which the witness resides, $3 for each day of necessary attendance,

(ii) within 300 kilometres of where the witness resides, 24 cents a kilometre each way between his or her residence and the place of hearing or examination,

(iii) more than 300 kilometres from where the witness resides, the minimum return air fare plus 24 cents a kilometre each way from his or her residence to the airport and from the airport to the place of hearing or examination;

(c) overnight accommodation and meal allowance, where the witness resides elsewhere than the place of hearing or examination and is required to remain overnight, for each overnight stay..... 75

19. Fees or expenses actually paid to a court, court reporter, official examiner or sheriff under the regulations under the *Administration of Justice Act.*

20. For service or attempted service of a document,

(a) in Ontario, the amount actually paid, not exceeding

the fee payable to a sheriff under the regulations under the *Administration of Justice Act*;

(b) outside Ontario, a reasonable amount;

(c) that was ordered to be served by publication, a reasonable amount.

21. For an examination and a transcript of evidence taken on the examination, the amount actually paid, not exceeding the fee payable to an official examiner under the regulations under the *Administration of Justice Act.*

22. For the preparation of a plan, model, videotape, film or photograph reasonably necessary for the conduct of the proceeding, a reasonable amount.

23. For experts' reports that were supplied to the other parties as required by the *Evidence Act* or these rules and that were reasonably necessary for the conduct of the proceeding, a reasonable amount.

24. The cost of the investigation and report of the Official Guardian.

25. For an expert who gives opinion evidence at the hearing or whose attendance was reasonably necessary at the hearing, a reasonable amount not exceeding $350 a day, subject to increase in the discretion of the clerk.

26. For an interpreter, for services at the hearing or on an examination, a reasonable amount not exceeding $100 a day, subject to increase in the discretion of the clerk.

27. Where ordered by the presiding judge, such travelling and accommodation expenses incurred by a party as, in the discretion of the clerk, appear reasonable.

28. For copies of any documents or authorities prepared for or by a party for the use of the court and supplied to the opposite party, a reasonable amount.

29. For copies of records and factums, a reasonable amount.

30. The cost of certified copies of documents such as orders, birth, marriage, death certificates, abstracts of title, deeds, mortgages and other registered documents where reasonably necessary for the conduct of the proceeding.

31. The cost of transcripts of proceedings of courts or tribunals,

(a) where required by the court or the rules; or

(b) where reasonably necessary for the conduct of the proceeding.

32. Where ordered by the presiding judge, for any other disbursement reasonably necessary for the conduct of the proceeding, a reasonable amount in the discretion of the clerk.

O. Reg. 807/84, s. 39, *part*; O. Reg. 324/86, ss. 13, 14; O. Reg. 388/87, s. 14.

TABLE OF FORMS

Form 1 — Acknowledgement of Service
Form 2 — Advertisement
Form 3 — Settlement Conference Memorandum
Form 4 — Request to Admit
Form 5 — Response to request to Admit
Form 6 — Warrant for Arrest
Form 7 — Promise to Appear
Form 8 — Application
Form 9 — Financial Statement
Form 10 — [Reserved]
Form 11 — Notice of Hearing
Form 12 — Affidavit of Service
Form 13 — Answer
Form 14 — Notice to Added Party
Form 15 — Reply by Added Party
Form 16 — Reply by Applicant
Form 17 — Net Family Property Statement
Form 18 — Notice of Motion
Form 19 — Affidavit in Support of Motion
Form 20 — Summons to a Witness
Form 21 — Order
Form 22 — Order on Motion Without Notice
Form 23 — Certificate of Pending Litigation
Form 24 — Certificate of Clerk
Form 25 — Notice of Registration of Order
Form 26 — Notice of Confirmation Hearing
Form 27 — Notice of Hearing for Further Evidence
Form 28 — Notice of Resumption of Hearing
Form 29 — Summons to Give Evidence for an Extra-Provincial Tribunal
Form 30 — Notice of Hearing (Divorce)
Form 31 — Official Guardian's Notice of Intention to Investigate
Form 32 — Waiver of Right to Dispute Official Guardian's Report
Form 33 — Certificate of Clerk (Divorce)
Form 34 — Divorce Judgment
Form 35 — Certificate of Divorce
Form 36 — Application — General (Child and Family Services)
Form 37 — Protection Application
Form 38 — Status Review Application
Form 39 — Application for Adoption
Form 40 — Secure Treatment Application/Extension Application
Form 41 — Consent (General) (Secure Treatment)
Form 42 — Consent of Child
Form 43 — Notice of Hearing (Child and Family Services)
Form 44 — Notice of Motion (Child and Family Services)
Form 45 — Affidavit in Support of Motion (Child and Family Services)
Form 46 — Affidavit of Service (Child and Family Services)
Form 47 — Summons to a Witness (Child and Family Services)
Form 48 — Consent to Adoption — Director
Form 49 — Consent to Adoption — Parent
Form 50 — Consent to Adoption — Spouse
Form 51 — Affidavit of Adopting Parent(s)
Form 52 — Consent to Adoption — Child
Form 53 — Recommendation of Director
Form 54 — Recommendation of Local Director
Form 55 — Report of the Official Guardian
Form 56 — Warrant to Bring a Child to a Place of Safety
Form 57 — Information in Support of a Warrant to Bring a Child to a Place of Safety
Form 58 — Order on Motion Without Notice (Child and Family Services)
Form 59 — Order (Child and Family Services)
Form 60 — Protection/Access/Status Review Order
Form 61 — Adoption Order
Form 62 — Affidavit in Support of Filing of Domestic Contract or Paternity Agreement

Form 63 — Request for Enforcement
Form 64 — Statement of Arrears
Form 65 — Request for Writ of Seizure and Sale
Form 66 — Writ of Seizure and Sale
Form 67 — Request for Garnishment
Form 68 — Notice of Garnishment
Form 69 — Notice of Garnishment (Extraprovincial)
Form 70 — Dispute by Debtor
Form 71 — Dispute by Garnishee
Form 72 — Notice of Garnishment Hearing
Form 73 — Warrant of Committal
Form 74 — Notice of Default
Form 75 — Recognizance
Form 76 — Bond

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Acknowledgement of Service

Form 1

Court File no.

I, ... (name) am a person named as ☐ an applicant ☐ a respondent in the documents indicated below.

I, ... (name)

My address for service of further documents is: (*street & number, municipality, postal code*)

.....

.....

I have received a copy today of the documents checked and indicated below by my initials.

- ☐ Application
- ☐ Notice of Hearing
- ☐ Financial Statement
- ☐ Financial Statement in Blank Form
- ☐ Net Family Property Statement
- ☐ Net Family Property Statement in Blank Form
- ☐ Answer
- ☐ Answer in Blank Form
- ☐ Notice to Added Party
- ☐ Reply by Added Party
- ☐ Reply by Applicant
- ☐ Order on Motion Without Notice
- ☐ Affidavit in Support of Motion
- ☐ Notice of Motion
- ☐ Certificate of Pending Litigation
- ☐ Summons to a Witness
- ☐ Official Guardian's Report
- ☐ Other (Specify)

.....	.....	.....
Signature of person serving documents	Date	Signature
.....	.....	.....
Signature of person serving documents	Date	Signature

O. Reg. 327/90, s. 9.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Advertisement

Form 2

Court File no.

NOTICE TO .....
(full name)

..... has filed an application with this court asking
(name of applicant)

for an order against you for .....
(list claims as set out in application)

You may obtain a copy of the application from the Court office at .....
(address)

The Court will hold a hearing at the above address on ..... at .....
(date) (time)
or as soon after that time as the case can be heard. If you dispute the claims made against you, you must file an answer with the Court at the above address within ..... If you fail to
(time period)
appear at the hearing, an order may be made in your absence and enforced against you.

.....
(name and address of party or solicitor publishing notice)

(*NOTE: Where an answer or other document is served by publication of an advertisement, the form should be modified to suit the case.*)

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Settlement Conference Memorandum

Form 3

Court File no.

Date ..... Judge .....

Applicant ..... Respondent .....

Counsel for Applicant .....

Counsel for Respondent .....

A. ISSUES TO BE TRIED

1. Status of marriage

(a) Divorce ☐ Contested ☐ Uncontested ☐

(b) Nullity ☐ Contested ☐ Uncontested ☐

2. Children

Ages .....

Residing with: Mother ☐
Father ☐
Other ☐

(a) Paternity ☐
(b) Custody ☐
(c) Access ☐
(d) Maintenance
Entitlement ☐
Quantum ☐
(e) Child Protection ☐
Crown Wardship ☐
Wardship ☐
Supervision ☐

3. Spousal Maintenance

(a) Entitlement ☐

(b) Quantum ☐

4. Property

(a) Chattels ☐

(b) Real Property ☐

(c) Exclusive Possession ☐

5. Other .....

B.
AGREED UPON FACTS

.....

.....

C.
TRIAL INFORMATION

1. Time required ..... days

2. Number of witnesses: Applicant .....

Respondent .....

....
Judge Counsel for Applicant

.....
Counsel for Respondent

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Request to Admit

Form 4

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

You are requested to admit, for the purposes of this proceeding only, the truth of the following facts: (*Set out facts in consecutively numbered paragraphs.*)

You are requested to admit, for the purposes of this proceeding only, the authenticity of the following documents: (*Number each document and give particulars sufficient to identify each. Specify whether the document is an original or a copy and, where the document is a copy of a letter, telegram or telecommunication, state the nature of the document.*)

Attached to this request is a copy of each of the documents referred to above. (*Where it is not practicable to attach a copy or where the party already has a copy, state which documents are not attached and give the reason for not attaching them.*)

You must respond to this request by serving a response to request to admit in Form 5 within twenty days after this request is served on you. If you fail to do so, you will be deemed to admit, for the purposes of this proceeding only, the truth of the facts and the authenticity of the documents set out above.

....
(Date) (Name, address and telephone number of solicitor or party serving request)

To: .....
(Name and address of solicitor or party on whom request is served)

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Response to Request to Admit

Form 5

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

In response to your request to admit dated (*date*), the (*identify party responding to the request*):

1. Admits the truth of facts numbers .....
2. Admits the authenticity of documents numbers .....
3. Denies the truth of facts numbers .....
4. Denies the authenticity of documents numbers .....
5. Refuses to admit the truth of facts numbers ..... for the following reasons:
   (*Set out reason for refusing to admit each fact.*)
6. Refuses to admit the authenticity of documents numbers ..... for the following reasons:
   (*Set out reason for refusing to admit each document.*)

....

(Date) (Name, address and telephone number of solicitor or party serving response)

To: .....
(Name and address of solicitor or party on whom response is served)

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Warrant for Arrest

Form 6
Page 1

Court File no.

To: .....
and to all other peace officers in the Province of Ontario.

I command you to arrest .....
(name)
on the grounds that (*insert one of the grounds set out on the back of this warrant*)

And I command you to bring him or her before this court (or the court in the county or district in which he or she is found) to be dealt with according to law, but if the court is not then sitting,

Check for arrest without release ☐ I command you to take him or her to the nearest provincial correctional institution or other secure facility and to detain him or her until he or she can be brought before the court.

Check for release after arrest on terms ☐ I command you to bring him or her before the clerk of the court or a justice of the peace as soon as practicable for release upon the following terms:

(a) He or she shall furnish the clerk or justice with an undertaking in writing to appear in this court within fourteen days after arrest.

(b) He or she shall enter into a recognizance (with) (without) sureties before the clerk or justice in Form 72 in the amount of $....., conditioned upon appearing at this court within fourteen days after arrest. (*Strike out if not applicable*)

(c) (*Here state any other terms of release*)

This warrant need not be executed if he or she is found beyond ..... kilometres from the court of issue.

This warrant expires on .....

....
Date of issue Signature of judge

I have advised this arrested person of the reasons for arrest and of his or her right to counsel.

....
Date of issue Signature of officer

NOTE: The description of the person to be arrested is on the back of this warrant.

Insert all available information

Full Name			Birth Date (D, M, Y)		Sex
Address			Telephone Number		
Height	Weight	Hair Colour	Hair Style	Eye Colour	Complexion
Other Features					

Unified Family Court

Ontario

Warrant for Arrest

Grounds:

The person is a respondent in an application for support or variation of support and is about to leave Ontario and there are reasonable grounds to believe that the respondent intends to evade his or her responsibilities under the *Family Law Act.*

The person is a debtor for whom a notice of default has been issued and is about to leave Ontario and there are reasonable grounds to believe that the respondent intends to evade his or her responsibilities under this Act or an agreement enforceable under this Act.

The person is a debtor who has failed to appear to a notice of default that has been served.

The person is a debtor who has been served with a notice of default and is about to leave Ontario and there are reasonable grounds to believe that the respondent intends to evade his or her responsibilities under an order or agreement enforceable under the *Support and Custody Orders Enforcement Act.*

Family Law Act

43.—(1) If an application is made under section 33 or 37 and the court is satisfied that the respondent is about to leave Ontario and that there are reasonable grounds for believing that the respondent intends to evade his or her responsibilities under this Act, the court may issue a warrant for the respondent's arrest for the purpose of bringing him or her before the court.

59 (2) If an application is made under subsection (1) and a judge of the court is satisfied that the respondent is about to leave Ontario and that there are reasonable grounds to believe that the respondent intends to evade his or her responsibilities under the agreement, the judge may issue a warrant in the form prescribed by the rules of the court for the respondent's arrest.

Support and Custody Orders Enforcement Act

11 (3) Where the debtor fails to file the financial statement or to appear as the notice requires, the court may issue a warrant for the debtor's arrest for the purpose of bringing him or her before the court.

13.—(1) If the court is satisfied that a debtor is about to leave Ontario and that there are resonable grounds for believing that the debtor intends to evade his or her responsibilities under the order, the court may issue a warrant for the debtor's arrest for the purpose of bringing him or her before the court.

Rules of the Unified Family Court

31. Where the Court is satisfied that a summons to a witness and the prescribed witness fee were served on a witness who failed to attend or to remain as required by the summons and that the presence of the witness is necessary for the determination of an issue in a proceeding, the Court may issue a warrant in Form 6 for the arrest of the witness and may cause the witness to be brought before the Court to be held in custody until the hearing in the proceeding or to be released on such terms as are contained in the warrant or as the Court considers proper.

O. Reg. 96/86, s. 16.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Promise to Appear

Form 7

Court File no.

In order that I may be released from custody, I promise to appear before the presiding judge of the Unified Family Court at

..... on ..... at ..... and to attend as required by the court.
(address) (date) (time)

I understand that failure without lawful excuse to attend court in accordance with this promise may result in my arrest and detention.

.....
Date

.....
Witness

.....
Signature

.....
Print name

.....
Address for service

.....

.....

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Application

Form 8
Page 1

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

1. I ask for:

1a ☐ a divorce from the respondent

Full name

We were married on *(date)*

at *(place)*

We last lived together on *(date)*

Our marriage certificate

☐ has been filed with the Court.

☐ has not been filed with the Court, but will be filed before the hearing.

☐ cannot be filed with the Court. It is impossible to obtain a certificate because: *(Give reason)*

1b ☐ support under the *Divorce Act* for

1b i ☐ me
1b ii ☐ the following child(ren)

Full name(s) Birthdate(s)

1c ☐ custody of

1c i ☐ the child(ren) listed in 1b
1c ii ☐ the following child(ren)

Full name(s) Birthdate(s)

1d ☐ visiting rights (access) to the following child(ren)

Full name(s) Birthdate(s)

1e ☐ support under the *Family Law Act* for

1e i ☐ me
1e ii ☐ the following child(ren)

Full name(s) Birthdate(s)

1f ☐ custody under the *Children's Law Reform Act* of

1f i ☐ the child(ren) listed in 1e
1f ii ☐ the following child(ren)

Full name(s) Birthdate(s)

1g ☐ visiting rights (access) under *Children's Law Reform Act* to the following child(ren)

Full name(s) Birthdate(s)

1h ☐ a division of property	1k ☐ annulment of my marriage to the respondent which took place on *(date)* _____ at *(place)* _____	1m ☐ restraining my spouse/former spouse from harassing or communicating with me or children in my lawful custody
1i ☐ exclusive possession of the matrimonial home at *(address)* _____		1n ☐ restraining my spouse from depleting his/her property
		1o ☐ court costs, including costs paid on my behalf by third parties, to whom I assign such costs collected
1j ☐ exclusive possession of contents of the matrimonial home at *(address)* _____	1l ☐ indexing of ☐ an existing support order ☐ the support sought in 1e	
1p other *(specify)*		

2.	Applicant	Respondent spouse
2a If married, surname immediately before marriage		
2b Surname at birth		
2c Marital status at time of our marriage *(If divorced, give place and date of divorce.)*		
2d Birthplace		
2e Birthdate		
2f Place of actual residence *(municipality and province)*		
2g Period of habitual residence in Ontario immediately before filing Application		

3. The following are all living children of the marriage as defined by the *Divorce Act* for children of the parties, if unmarried

Full name(s)	Birthdate(s)

Place of ordinary residence of the children *(municipality and province)*

4. The following information relates to the children:

Name of child	School and grade or year	Person with whom child lives	Length of time child has lived there

5. The person(s) for whose benefit this Application is made is/are:

Full name(s)	Relationship to Applicant	Relationship to Respondent

6. There has never been any court action for divorce, annulment, alimony, maintenance, support, custody, access, division of property, possession of the matrimonial home or contents, a restraining order or other matrimonial matter between the respondent and me, or between the respondent and any person for whose benefit a claim is made in this Application, except: *(Give date, name of court, court file no., nature of case. If no other proceedings, state "None".)*

7. The respondent and I have entered into the following written or oral agreement or understanding in respect of the claims made in this Application: *(Give details. If no agreement or understanding, state "None".)*

8. The grounds for this Application are as follows: *(Give details of grounds. Attach an additional page if necessary.)*

....
Date Signature

Statement of Solicitor *(complete in divorce application only)*

I, ..., the solicitor for .....,
certify that I have complied with the requirements of section 9 of the *Divorce Act*.

....
Date Signature

Where the applicant claims support, custody of a child or a division of property, this form must be accompanied by a Financial Statement in Form 9.

O. Reg. 324/86, s. 15.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Financial Statement

Form 9
Page 1

Court File no.

I, ... of .....
Name (address—street & number, municipality, postal code)

.....,
declare that details of my financial situation and all my property are accurately set out below, to the best of my knowledge and belief.

Monthly Income	Actual	Proposed
Gross Pay *before Deductions*	$	$
Family Allowance	$	$
Tenants or Boarders	$	$
Pension	$	$
Worker's Compensation	$	$
Public Assistance	$	$
Investments	$	$
Other	$	$
Total income from all sources A	$	$
Less Deductions Income Tax	$	$
Union Dues	$	$
Unemployment Insurance	$	$
O.H.I.P.	$	$
Pension Plans	$	$
Canada Pension	$	$
Credit Union Loan	$	$
Savings Plans	$	$
Other	$	$
Total Deductions B	$	$
Net (Take Home) Income A – B	$	$

Monthly Expenses	Actual	Proposed
Food Groceries and household supplies	$	$
Meals outside the home	$	$
Clothing	$	$
Laundry and Dry cleaning	$	$
Housing Rent or Mortgage	$	$
Taxes	$	$
Home Insurance	$	$
Fuel (heat)	$	$
Water	$	$
Hydro	$	$
Phone	$	$
Cable T.V.	$	$
Repairs and maintenance	$	$
Other	$	$
Health & Medical Insurance, O.H.I.P.	$	$
Drugs	$	$
Dental care	$	$
Debts see p. 3	$	$
	$	$
	$	$
	$	$

	Actual	Proposed
Transportation Public transit, taxis, etc.	$	$
Car operation Gas and oil	$	$
Insurance and licence	$	$
Maintenance	$	$
Life Insurance	$	$
Education & Recreation School fees, books, etc.	$	$
Music lessons, hockey etc.	$	$
Newspapers, publications, stationery	$	$
Entertainment, recreation	$	$
Alcohol, tobacco	$	$
Vacation	$	$
Personal care Hairdresser, barber	$	$
Toilet articles (hairspray, soap, etc.)	$	$
Babysitting, Day Care	$	$
Children's allowances, Gifts	$	$
Support payments to other relatives	$	$
Savings for the future (excluding payroll deductions)	$	$
Miscellaneous	$	$
Total	$	$

Name and address of employer

Details of property
(Show gross values here and show mortgages and other encumbrances under Debts and other liabilities on page 3.)

Land (including rented premises)

Address of property	*Kind of property*	*Estimated Value*		
		Date of Marriage	Valuation Date	Date of Statement

Household furniture, appliances, jewellery and automobiles

Description	*Estimated Value*		
	Date of Marriage	Valuation Date	Date of Statement

Savings, pension, R.R.S.P.'s, other savings plans and cash

Item	*Institution*	*Account Number*	*Maturity*	*Amount*		
				Date of Marriage	Valuation Date	Date of Statement

Stocks, bonds and other securities

Number	*Description*	*Estimated Value*		
		Date of Marriage	Valuation Date	Date of Statement

Insurance

Kind	*Company*	*Policy Number*	*Face Amount*	*Cash Value*		
				Date of Marriage	Valuation Date	Date of Statement

Business interests

Name of firm or company	*Interest*	*Estimated Value*		
		Date of Marriage	Valuation Date	Date of Statement

Accounts receivable

Particulars	*Amount*		
	Date of Marriage	Valuation Date	Date of Statement

Other

Kind of property	*Particulars*	*Estimated Value*		
		Date of Marriage	Valuation Date	Date of Statement

Debts and other liabilities

Category	*Particulars*	*Amount*		
		Date of Marriage	Valuation Date	Date of Statement

Net value of property owned by spouse on date of marriage

Category	*Particulars*	*Net Value on Date of marriage*

Excluded property

Category	*Particulars*	*Estimated Value on Valuation Day*

Disposal of property (disposal during the two years preceding this statement or during the marriage, whichever period is shorter)

Category	*Particulars*	*Estimated Value*

Declared before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....

A Commissioner, etc.

And I make this solemn declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath.

.....

Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 93/86, s. 17, *part.*

Form 10

(Reserved)

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Notice of Hearing

Form 11
Page 1

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

To the Respondent(s)

An application has been made for an order against you in this court. The details are set out in the attached Application.

The court will hold a hearing at .....
(address)

on .....
(date)

at .....
(time)

or as soon after that time as the case can be heard.

If you dispute the claims made in the Application, you must file an Answer with the court office at .....
(address)

(a) where this Notice was served on you in Ontario, within 15 days after it was served;

(b) where this Notice was served on you in Canada outside Ontario or in the United States of America, within 20 days after it was served; or

(c) where this Notice was served on you outside Canada and the United States of America, within 25 days after it was served.

If a Financial Statement (Form 9) is attached to this Notice, you must file your own Financial Statement with the court along with your Answer.

If you fail to file an Answer, the court may set a new hearing date without notice to you and you may not receive notice of any further steps in the proceeding.
If you fail to appear at the hearing, an order may be made in your absence and enforced against you.

....
Date Clerk of the court

NOTE: A copy of the Application signed by the applicant should be attached to this Notice. If the Application is missing, you should contact your own lawyer or the court office.

If a Financial Statement (Form 9) is attached to this Notice, you should receive a blank copy of the same form for you to fill out and file with the court. If the blank form is missing, you should contact your own lawyer or the court office.

You may obtain an Answer form from your own lawyer or the court office. If you wish assistance in filling out the Answer form, you may contact your own lawyer or the court office.

Documents may be filed with the court by mail.

O. Reg. 324/86, s. 16, *revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit of Service

Form 12
Page 1

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

I, ..., of the ..... of .....
Full name City, Town, etc. Name

in the ..... of ....., make oath and say:
County, Regional Municipality, etc. Name

On *(date)*

I served *(name of person served)*

with the following document(s): *(specify)*

☐ by leaving a copy with him/her at *(address)*

In response to my request to produce identification, the person served *(state what identification produced or give other response of person served.)*

In response to my request to complete and sign an Acknowledgement of Service, the person served
☐ complied with my request
☐ refused to comply with my request
☐ other *(specify)*

☐ by leaving a copy with *(name)*

a person apparently of the age of 16 years or over, at *(address)*

and by mailing a copy on *(date)*

to the person to be served at the same address. I previously made unsuccessful attempts at personal service on *(date)*

at *(address)*

and on *(date)*

at *(address)*

☐ by leaving a copy with *(name)*

a person apparently of the age of 16 or over, at *(address)*

☐ by mailing a copy to him/her at *(address)*

the address for service shown on the document dated *(date)*

filed by him/her in the proceeding bearing court file no.

☐ by leaving a copy at *(address)*

the address for service shown on the document dated *(date)*

filed by him/her in the proceeding bearing court file no.

☐ by mailing a copy to *(name of solicitor)*

the solicitor acting for him/her, at *(address)*

☐ by leaving a copy with *(name)*,

the *(position or title)*

of that corporation, at *(address)*

To effect service it was necessary for me to travel
kilometres.

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A commissioner, etc.

.....
Signature

(This form must be signed before a lawyer, Notary Public or Commissioner for Taking Affidavits.)

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Answer

Form 13
Page 1

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

1. I do not dispute the claims made in the following paragraphs of the Application:

☐ paragraph 1, subparagraph(s) ..... ☐ paragraph 2, subparagraph(s) ..... ☐ paragraph 3

☐ paragraph 4 ☐ paragraph 5 ☐ paragraph 6 ☐ paragraph 7 ☐ paragraph 8, subparagraph(s) .....

2. I dispute the claims made in the following paragraphs of the Application for the following reasons:
(Give paragraph no. and grounds for dispute of that paragraph. Attach an additional page if necessary.)

....
Date Signature

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Claim by Respondent against Applicant

Form 13
Page 2a

Court File no.

Omit this page if you do not wish to make a claim for any of these items.

3. I ask for:

3a ☐ a divorce from the applicant

Full name

We were married on *(date)*

at *(place)*

We last lived together on *(date)*

Our marriage certificate
☐ has been filed with the Court.
☐ has not been filed with the Court, but will be filed before the hearing.
☐ cannot be filed with the Court. It is impossible to obtain a certificate because: *(Give reason)*

3b ☐ support under the *Divorce Act* for
3b i ☐ me
3b ii ☐ the following child(ren)

Full name(s) Birthdate(s)

3c ☐ custody under the *Divorce Act* of
3c i ☐ the child(ren) listed in 3b
3c ii ☐ the following child(ren)

Full name(s) Birthdate(s)

3d ☐ visiting rights (access) under the *Divorce Act* to the following child(ren)

Full name(s) Birthdate(s)

3e ☐ support under the *Family Law Act* for
3e i ☐ me
3e ii ☐ the following child(ren)

Full name(s) Birthdate(s)

3f ☐ custody under the *Children's Law Reform Act* of
3f i ☐ the child(ren) listed in 3e
3f ii ☐ the following child(ren)

Full name(s) Birthdate(s)

3g ☐ visiting rights (access) under the *Children's Law Reform Act* to the following child(ren)

Full name(s) Birthdate(s)

Omit this page if you do not wish to make a claim for any of these items.

3h ☐ a division of property	3k ☐ annulment of my marriage to the respondent which took place on *(date)* _____ at *(place)*	3o ☐ court costs, including costs paid on my behalf by third parties, to whom I assign such costs collected
3i ☐ exclusive possession of the matrimonial home at *(address)* _____ _____	3l ☐ indexing of ☐ an existing support order ☐ the support sought in 3e	3p ☐ other *(specify)* _____ _____ _____ _____
3j ☐ exclusive possession of contents of the matrimonial home at *(address)* _____ _____	3m ☐ restraining my spouse/former spouse from harassing or communicating with me or children in my lawful custody	
	3n ☐ restraining my spouse from depleting his/her property	

4. I ask for an order against .....
(Full name)

.....
(Street & number, municipality, postal code)

for:

4a ☐ custody under the *Children's Law Reform Act* of the following child(ren)	4b ☐ visiting rights (access) under the *Children's Law Reform Act* to the following child(ren)	4c ☐ support under the *Family Law Act* for the following child(ren)
Full name(s) Birthdate(s)	Full name(s) Birthdate(s)	Full name(s) Birthdate(s)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4d ☐ court costs, including costs paid on my behalf by third parties, to whom I assign such costs collected

4e ☐ other *(specify)*

Omit this page if you do not make a claim against the Applicant or an Added Party.

5. The person(s) for whose benefit this claim is made is/are:

Full name(s)	*Relationship to Applicant*	*Relationship to Respondent*

6. The grounds for this claim are as follows: *(Give details of grounds for which kind of order asked for. Attach an additional page if necessary.)*

7. There has never been any court action for divorce, annulment, alimony, maintenance, support, custody, access, division of property, possession of the matrimonial home or contents, a restraining order or other matrimonial matters between (*name of person against whom claim is made*)

and me, or between any person for whose benefit a claim is made in this Answer and that person, except: (*Give date, name of court, court file no., nature of case. If no other proceedings, state "None".*)

8. (*Name of person against whom claim is made*)

and I have entered into the following written or oral agreement or understanding in respect of the claims made in this Answer: (*Give details. If no agreement or understanding, state "None".*)

....
Date Signature

Where the respondent claims support, custody of a child or a division of property, this form must be accompanied by a Financial Statement in Form 9.

O. Reg. 324/86, s. 17.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice to Added Party

Form 14
Page 1

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

To .....
(Name of Added Party)

A claim has been made against you in this court. The details are set out in the attached Answer.

The court will hold a hearing at .....
(address)

on .....
(date)

at .....
(time)

or as soon thereafter as the case can be heard.

If you dispute the claim made against you in the Answer, you must file a Reply with the court at .....
(address)

within 10 days after this notice was served on you.

If a Financial Statement (Form 9) is attached to this Notice, you must file the same form with the court along with your Reply.

If you fail to appear at the hearing, an order may be made in your absence and enforced against you.

....
Date Clerk of the court

NOTE: A copy of the Application signed by the applicant and the Answer signed by the respondent should be attached to this Notice. If the Application or Answer is missing, you should contact your lawyer or the court office. If a Financial Statement (Form 9) is attached to this Notice, you should receive a blank copy of the same form for you to fill out and file with the court. If the blank form is missing, you should contact your own lawyer or the court office.

You may obtain a reply form from your own lawyer or the court office. If you wish assistance in filling out the Reply form, you may contact your own lawyer or the court office.

Documents may be filed with the court by mail.

O. Reg. 324/86, s. 18, *revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Reply by Added Party

Form 15

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

I do not dispute the claims made in the following paragraphs of the Application:

☐ paragraph 1, subparagraph(s) ..... ☐ paragraph 2 ☐ paragraph 3 ☐ paragraph 4 ☐ paragraph 5 ☐ paragraph 6, subparagraph(s) .....

I do not dispute the claims made in the following paragraphs of the Answer:

☐ paragraph 4, subparagraph(s) ..... ☐ paragraph 5 ☐ paragraph 6 ☐ paragraph 7 ☐ paragraph 8

I dispute the claims made in the following paragraphs of the Application for the following reasons:
(Give paragraph no. and grounds for dispute of that paragraph)

I dispute the claims made in the following paragraphs of the Answer for the following reasons:
(Give paragraph no. and grounds for dispute of that paragraph)

....
Date Signature

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Reply by Applicant

Form 16

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

I do not dispute the claims made in the following paragraphs of the Answer:

☐ paragraph 3, subparagraph(s) ..... ☐ paragraph 5 ☐ paragraph 6 ☐ paragraph 7 ☐ paragraph 8

I dispute the claims made in the following paragraphs of the Answer for the following reasons:
(Give paragraph no. and grounds for dispute of that paragraph)

....
Date Signature

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Net Family Property Statement

Form 17
Page 1

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

Statement filed by .....

Valuation date ..... Statement Date .....

(Complete columns for both husband and wife, showing your assets, debts, etc. and those of your spouse.)

ITEM	HUSBAND	WIFE
1. Value of assets owned on valuation date (*by category with reference to the financial statements*)		
TOTAL 1.		

ITEM	HUSBAND	WIFE
2. Value of debts and other liabilities on valuation date (*by category with reference to the financial statements*)		
TOTAL 2.		
3. Net value of property other than a matrimonial home, owned on date of marriage (*by category with reference to the financial statements*)		
TOTAL 3.		
4. Value of property excluded under subs. 4 (2) of the *Family Law Act* (*by category with reference to the financial statements*)		
TOTAL 4.		
5. Net family property (*Total 1 minus Totals 2, 3 and 4*)		

O. Reg. 324/86, s. 19.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Motion

Form 18

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

To the Parties

A motion has been made by .....
(name of party)

for the following order by the court: *(Specify)*

The following material will be relied on at the hearing of the motion: *(Specify, and where an affidavit is to be relied on, attach a copy.)*

.....

The court will hear this motion at .....
(address)

on .....
(date)

at .....
(time)

or as soon after that time as the motion can be heard.

If you fail to appear at the hearing of the motion, an order may be made in your absence.

....
Date Party or solicitor

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit in Support of Motion

Form 19
Page 1

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

I, ..., of the ..... of .....
Full name City, Town, etc. Name

in the ..... of ....., make oath and say:
County, Regional Municipality, etc. Name

(Give facts in support of motion. Where the facts are not within your own personal knowledge, give the source of your information or the grounds for your belief.)

(*Put a line through any blank space left on this page.*)

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Summons to a Witness

Form 20

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

Note: When this Summons is served on you, you should receive a witness fee of *(total dollars)*

which is calculated as follows:

attendance $ for each day of attendance	=
travel allowance $ each way	=
overnight allowance $	=
Total	=

This summons was issued on behalf of

To .....
(Full name of witness)

of .....
(Address—street & number, municipality, postal code)

You are commanded to appear at .....
(address)

on .....
(date)

at .....
(time)

to remain until this proceeding is heard .....

to give evidence in this proceeding before the .....
(court or other official)

and to bring with you the following:

....
Name of party Date Clerk of the court

If you fail to attend or to remain as required by this Summons, a Warrant may be issued for your arrest.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Order

Form 21

Court File no.

Judge

Date of Order

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

On .....
(motion or application)

of .....
(name)

heard on .....
(date)

and on receiving the evidence and the submissions on behalf of the parties,

This court orders that:

(Put a line through any blank space on this page.)

....
Date of signature Signature of judge or clerk of the court

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Order on Motion without Notice

Form 22

Court File no.

Judge

Date of Order

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

On motion of .....
(name)

without notice to .....
(name)

heard on .....
(date)

on receiving the evidence and the submission on behalf of .....
(name)

This court orders that:

....
Date of signature Signature of judge or clerk of the court

NOTICE

To

The above order has been made without notice to you. You may make a motion to this court to vary or discharge the order by serving a Notice of Motion and filing it at the court office at .....
(address)

A copy of any affidavit filed on the motion which resulted in the above order should be attached to this Order.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Certificate of Pending Litigation

Form 23

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

I certify that in this proceeding one of the parties claims an interest in or right to possession of the following land:
(Give legal description)

....
Date Clerk of the Court

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Certificate of Clerk

Form 24

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

I certify that:

1. The attached copies of the application and the financial statement of the applicant(s) are true copies of the documents filed with the court in this proceeding.

(Strike out inapplicable provisions)

2. The attached copy of the final/provisional order is a true copy of the final/provisional order made in this proceeding.

3. The attached transcript of evidence is an accurate representation of the evidence heard in this proceeding.

4. The attached copy of reasons is a true copy of the court's reason for decision in this proceeding.

....
Date Clerk of the Court

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Registration of Order

Form 25

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

To the Respondent(s)

BE ADVISED THAT A FINAL ORDER MADE IN .....

DATED .....

HAS BEEN REGISTERED IN UNIFIED FAMILY COURT, ...
(address)

YOU ACCORDINGLY HAVE ONE MONTH FROM RECEIPT OF THIS NOTICE TO MAKE AN APPLICATION BEFORE THIS COURT TO SET THE REGISTRATION ASIDE.

IF NO APPLICATION IS MADE, ENFORCEMENT PROCEEDINGS WILL BE TAKEN AGAINST YOU.

....
Date Clerk of the Court

NOTE: If you wish assistance in filing an Application form you may contact your own lawyer or the Court office.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Confirmation Hearing

Form 26

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

To the Respondent(s)

☐ A provisional order

☐ A provisional variation of the order of the (*name of confirming court*) .....

made on (*date of confirmation*) .....

has been made against you

☐ in another part of Ontario

☐ outside Ontario

in the amount of $..... per ..... The details are set out in
(in Canadian funds) (week, month, etc.)
the attached materials.

The court will hold a hearing at .....
(address)

on (*date*) ..... at (*time*) .....

or as soon thereafter as the case can be heard, in which you may show cause why this provisional order/variation should not be confirmed against you.

You must file a Financial Statement in Form 9 with the court office at .....
(address)

within ten days after receiving this Notice.

If you fail to appear at the hearing, the provisional order/variation may be confirmed in your absence and enforced against you.

....
Date Clerk of the Court

NOTE: *If the provisional order/variation was made in another part of Ontario*, a copy of the Application signed by the applicant should be attached to this Notice, along with a copy of the applicant's Financial Statement, a copy of the provisional order/order of provisional variation and a copy of the transcript of the applicant's evidence.
Also attached to this Notice should be a blank Financial Statement in Form 9 for you to fill out and file with the court office. If any document which should be attached to this Notice is missing, you should contact your own lawyer or the court office.

Documents may be filed with the court by mail.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Hearing for Further Evidence

Form 27

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

To the Applicant(s)

☐ The provisional order in this matter has come before a judge of the (*name of confirming court*) .....

.....

☐ The provisional variation of the order made by the (*name of confirming court*) .....

.....

on (*date of confirmation*) ..... has come before a judge of the (*name of court*) .....

☐ The respondent has applied to the (*name of court*) .....

.....

for a variation of the order of the (*name of confirming court*) .....

made on (*date of confirmation*) .....

The other court has decided to offer you an opportunity to present further evidence and has therefore remitted its case to this court. The details are set out in the attached material.

If you wish to:

☐ proceed with your application for support

☐ proceed with your application for variation of support

☐ oppose, in whole or in part, the respondent's request for variation,

you must appear, either personally or by your lawyer or agent, and produce such evidence as is appropriate at

..... on (*date*) ..... at (*time*) .....
(address)

If you fail to appear at the hearing

☐ the provisional order/variation may be rescinded in your absence

☐ the respondent's request for variation may proceed unopposed

....
Date Clerk of the court

NOTE: A copy of the respondent's evidence and a copy of the court's reasons for seeking further evidence and a copy of the court's reasons for seeking further evidence should be attached to this Notice. If either of these is missing, you should contact your own lawyer or the court office.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Resumption of Hearing

Form 28

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

To the Respondent(s)

The proceeding before this court

☐ to confirm a provisional order/variation made by the (*name of originating court*) .....

on (*date of provisional order/variation*) .....

☐ to review an order made by the (*name of confirming court*) .....

on (*date of confirmation*) .....

was adjourned on (*date of adjournment*) .....

in order to remit the case to the other court for further evidence.

The other court has now sent to this court certain evidence which is attached.

This court will resume its hearing into this matter at .....
(address)

on (*date*) ..... at (*time*) .....

or as soon thereafter as the case can be heard.

If you fail to appear at the hearing,

☐ the provisional order/variation may be rescinded in your absence

☐ your application for variation may be dismissed.

....
Date Clerk of the court

NOTE: A copy of the applicant's further evidence taken before the other court should be attached to this notice. If it is missing, you should contact your lawyer or the court office.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Summons to Give Evidence for an Extra-Provincial Tribunal

Form 29

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawye. (*name, address and phone no.*)

Note: When this Summons is served on you, you should receive a witness fee of *(total dollars)*

which is calculated as follows:

attendance
$ for each day of attendance =

travel allowance
$ each way =

overnight allowance
$ =

Total =

This summons was issued on behalf of the Reciprocity Office,
Ministry of the Attorney General
(address)

To .....
(Full name of witness)

of .....
(Address—street & number, municipality, postal code)

You are commanded to appear at .....
(address)

on .....
(date)

at .....
(time)

to remain until this proceeding is heard .....

to give evidence in this proceeding before the .....
(court or other official)

and to bring with you the following:

....
Name of party Date Clerk of the court

If you fail to attend or to remain as required by this Summons, a Warrant may be issued for your arrest.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Hearing (Divorce)

Form 30

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

To the Respondent(s)

An Application for Divorce has been filed against you in this court. The details are set out in the attached copy.

The court will hold a hearing at .....
(address)

on .....
(date)

at .....
(time)

or as soon after that time as the case can be heard.

If you dispute the claims made in the Application, you must file an Answer with the court office at .....
(address)

(a) where this Notice was served on you in Ontario, within 20 days after it was served;

(b) where this Notice was served on you in Canada outside Ontario or in the United States of America, within 40 days after it was served; or

(c) where this Notice was served on you outside Canada and the United States of America, within 60 days after it was served.

If a Financial Statement (Form 9) is attached to this Notice, you must file the same form with the court along with your Answer.

If you fail to file an Answer, you may lose your right to support and the court may set a new hearing date without notice to you.

If you fail to appear at the hearing, a divorce may be granted in your absence and an order may be made and enforced against you.

Neither spouse is free to remarry until the court has granted a divorce.

....
Date Clerk of the court

O. Reg. 327/90, s. 10, *revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Official Guardian's Notice of Intention to Investigate

Form 31

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

TO THE PARTIES

The Official Guardian intends to investigate and report to the court concerning custody of or access to the child ....., (name) in accordance with the *Courts of Justice Act* and the rules of this court. The report may also concern the child's support or education. The report will be served on you by mail. You will have the right to dispute any statement in the report by serving a concise statement of the nature of your dispute on every other party interested in custody of or access to the child or the child's support or education, and on the Official Guardian. You must then file the statement, with proof of service, with the court. Your dispute must be served and filed within fifteen days after the Official Guardian's report is served on you.

Date .....

The Official Guardian
(address)

Attention: (*name and telephone number*)

TO: (*names and addresses of solicitors or parties receiving notice.*)

O. Reg. 388/87, s. 15, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Waiver of Right to Dispute Official Guardian's Report

Form 32

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

☐ applicant

The

☐ respondent waives the right to dispute the Official Guardian's report in this action.

Date ..... *Name, address and telephone number of solicitor or party*

O. Reg. 388/87, s. 15, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Certificate of Clerk (Divorce)

Form 33
Page 1

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

(*Instructions: If appropriate box at left cannot be checked, check box in right margin and describe deficiency by the box.*)

The Clerk of the court certifies that:

1. PRELIMINARY — Deficiency

(a) ☐ No answer has been filed by the respondent. — 1(b) ☐

☐ The respondent's answer has been withdrawn.

☐ The respondent's answer has been struck out.

(b) ☐ A Central Divorce Registry clear certificate has been received. — 1(c) ☐

2. SERVICE

(a) ☐ Service is not required because the spouses have filed a joint application. — 2(a) ☐

☐ The affidavit of service has been filed.

☐ A signed acknowledgment of service has been filed.

(b) ☐ The respondent was served personally at (*address*) ..... — 2(b) ☐

☐ The respondent's lawyer accepted service.

☐ The respondent was served by mail.

3. AFFIDAVITS

(a) ☐ An affidavit of the applicant has been filed. — 3(a) ☐

(b) ☐ An affidavit of the respondent has been filed.

(c) ☐ An affidavit of (*name*) ..... has been filed.

(d) ☐ The application indicates that oral evidence will be presented. — 3(d) ☐

4. CLAIM FOR RELIEF

(a) ☐ The application contains only a claim for divorce. 4(a) ☐

☐ The application contains a claim for relief other than a divorce under an Act, and refers to the Act for each claim.

(b) ☐ The application contains a claim for support or a division of property and sets out the nature and amount of relief claimed and the amount of support claimed for each dependant. 4(b) ☐

(c) ☐ The application contains a claim for inclusion of terms of a separation agreement or previous court order and refers to the specific provisions to be included. 4(c) ☐

5. GROUNDS FOR DIVORCE

The application claims divorce on the ground of

(a) ☐ separation since (*date*) ....., and the applicant's affidavit was sworn at least one year after that date. 5(a) ☐

(b) ☐ adultery.

(c) ☐ cruelty.

6. PROOF OF MARRIAGE

(a) ☐ A certificate of marriage or of the registration of the marriage has been filed, and particulars correspond to those in the application. 6(a) ☐

(b) ☐ The application states that it is impossible to obtain a certificate of marriage or of the registration of the marriage and an affidavit gives the date and place of marriage. 6(b) ☐

7. RESIDENCE

☐ The application indicates that the 7 ☐

☐ wife
☐ husband

has resided in Ontario since (*date*) ....., a period of at least one year before the application was issued.

8. CHILDREN

(a) ☐ There are children of the marriage.

☐ There are no children of the marriage.

(b) ☐ The Official Guardian has not intervened. 8(b) ☐

☐ The Official Guardian has intervened and filed a report, and no dispute has been filed within fifteen days after service of the report or both spouses have filed a consent to an early hearing.

9. DRAFT ORDER

(a) ☐ Four copies of a draft judgment in accordance with Form 34 have been submitted. 9(a) ☐

(b) ☐ A stamped envelope for service of the order on the respondent has been filed. 9(b) ☐

(c) ☐ The address for service of the order is the same as in 9(c) ☐

☐ 2(a) above.

☐ the acknowledgment of service of the application.

☐ the applicant's affidavit.

(d) ☐ A request has been made for the divorce to take effect earlier than the thirty-first day, and consents and undertakings of the spouses have been filed. 9(d) ☐

(e) ☐ The draft order is in the exact terms of the application. 9(e) ☐

☐ The draft order is in the exact terms of a consent or minutes of settlement filed with the court.

10. NOTICE TO APPLICANT

☐ The applicant has been informed of any deficiencies noted on this certificate, and has requested the papers be submitted despite them.

....

Date Clerk of the Court

O. Reg. 324/86, s. 22.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Divorce Judgment
Form 34

Court File no.

Judge

Date of Judgment

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each and for lawyer if known.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	Lawyer (*name, address and phone no.*)

On the application of *(name)* .....

heard on *(date)* .....

and on considering the evidence and the submissions on behalf of *(names)* .....

This court orders that *(name)* .....

and *(name)* .....

who were married at *(place)* .....

on *(date)* .....

be divorced and that the divorce take effect ..... days after the date of this order.

....
Date of Signature Signature of Judge

Neither spouse is free to remarry until this Judgment takes effect, at which time you may obtain a Certificate of Divorce from the court office.

O. Reg. 324/86, s. 23, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Certificate of Divorce

Form 35

Court File no.

This is to certify that the marriage of

..... and .....,

which was solemnized at .....,

on ....., was dissolved by an order of

this court which became effective on .....

....
Date Clerk of the Court

O. Reg. 324/86, s. 23, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Application — General
Child and Family Services

Form 36

Court File no.

at .....
(address)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

I/We ask for an order under the *Child and Family Services Act*: (*set out kind of order asked for*)

The grounds for this application are as follows: (*state briefly the main facts relied on*)

....
Date Signature of applicant(s)

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Protection Application
Child and Family Services

Form 37
Page 1

Court File no.

at .....
(address)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

The Children's Aid Society asks for a finding under the *Child and Family Services Act*, that the child(ren) named above is/are in need of protection because:

Check applicable box(es). Delete grounds not relied on in box(es) checked.

☐ the child has suffered physical harm, inflicted by the person having charge of the child or caused by that person's failure to care and provide for or supervise and protect the child adequately;

☐ there is a substantial risk that the child will suffer physical harm inflicted by the person having charge of the child or caused by that person's failure to care and provide for or supervise and protect the child adequately;

☐ the child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;

☐ there is substantial risk that the child will be sexually molested or sexually exploited by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child;

☐ the child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to the treatment;

☐ the child has suffered emotional harm, demonstrated by severe anxiety, depression, withdrawal, or self destructive or aggressive behaviour and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent, to services or treatment to remedy or alleviate the harm;

☐ there is a substantial risk that the child will suffer emotional harm demonstrated by severe anxiety, depression, withdrawal, or self destructive or aggressive behaviour and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm;

☐ the child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition;

☐ the child has been abandoned;

☐ the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody;

☐ the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody;

☐ the child is less than twelve years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment;

☐ the child is less than twelve years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately; or

☐ the child's parent is unable to care for the child and the child is brought before the court with the parent's consent and, where the child is twelve years of age or older, with the child's consent, to be dealt with under this Part.

The applicant further asks for an order *(check one only)*		
☐ that the children be placed with *(name)* _____ subject to the supervision of the *(name of society)* _____ for a period of months _____ with the following terms and conditions *(specify)*	☐ that the children be made ward(s) of the *(name of society)* _____ for a period of months ☐ that the child(ren) be made ward(s) of the *(name of society)* _____ for a period of months and then returned to *(name)* _____ subject to the supervision of *(name of society)* _____ for a period of months with the following terms and conditions: *(specify)*	☐ that the child(ren) be made ward(s) of the Crown and placed in the care of the *(name of society)* _____ ☐ other *(specify)*

The applicant further asks for an order *(check one only)*		
☐ relating to access: *(Specify details. Include restraining order if applicable)*	☐ relating to payment of support while the child(ren) is/are in care *(Specify details.)*	

To the best of the applicant's knowledge, the following are all the outstanding orders and court proceedings for supervision, wardship or custody of or access to the child(ren).

(Give date, name of court, court file no., nature of case and resulting order. If you do not know of any other order or proceedings, state "None".)

The following is a brief statement of the facts relied on:

....

Date Signature

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Status Review Application
Child and Family Services

Form 38
Page 1

Court File no.

at .....
(address)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex	Present status
Full name	Birthdate (*d, m, y*)	Sex	Present status
Full name	Birthdate (*d, m, y*)	Sex	Present status
Lawyer (*name, address and telephone no.*)			

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

1. The applicant asks for an order under the *Child and Family Services Act*:

☐ that the child(ren) be placed with ..... subject to the supervision of
(name)

..... for a period of ..... months with the following terms and conditions:
(name of society)

.....

.....

☐ that the child(ren) be made ward(s) of the ..... for a period of ..... months.
(name of society)

☐ that the child(ren) be made ward(s) of the ..... for a period of ..... months,
(name of society)

and then returned to ..... subject to the supervison of
(name)

..... for a period of ..... months with the following terms and conditions:
(name of society)

.....

.....

☐ that the child(ren) be made a ward(s) of the Crown and placed in the care of .....
(name of society)

☐ other (*specify*)

2. The applicant further asks for an order (*check as applicable*)

☐ relating to access: (*specify details*)

☐ relating to payment of support while the child(ren) is(are) in care: (*specify details*)

3. The applicant has requested a review of the child(ren)'s status because: (*state briefly the main facts relied on*)

4. To the best of the applicant's knowledge, the following are all the outstanding orders and court proceedings for supervision, wardship or custody of or access to the child(ren): (*Give date, name of court, court file no., nature of case and resulting order. If you do not know of any other order proceedings, state "None".*)

....
Date of signature Signature of applicant

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Application for Adoption
Child and Family Services

Form 39

Court File no.

at .....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Place of birth		
Lawyer (*name, address and telephone no.*)		

NOTE: A joint application may only be made when the applicants are spouses within the meaning of Parts I and II of the *Human Rights Code*.

Applicant(s)

Full name(s)	Birthdate (*d, m, y*)	Sex
Full name(s)	Birthdate (*d, m, y*)	Sex
Address for service (*street & number, municipality, postal code*)		
Lawyer (*name, address and telephone no.*)		

I/We ask for an order under the *Child and Family Services Act*, for the adoption of the child named above.

Complete this section if an applicant is under eighteen years of age.

Special circumstances that justify the making of an adoption order in this case are as follows: (*specify*)

I/We wish the name of the child after adoption to be (*specify*)

....
Date Signature of applicant

.....
Signature of applicant

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Secure Treatment Application/Extension Application *Child and Family Services*

Form 40
Page 1

Court File no.

at .....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

I/We am/are

Complete if child is less than 16 years of age

- ☐ am a parent of the child (See C.F.S.A. section 3(2))
- ☐ a person other than the person in charge of the secure treatment program who is caring for the child
- ☐ a duly authorized officer of the Children's Aid Society that has custody of the child under an order under Part III (Child Protection) of the *Child and Family Services Act*

Complete if child is 16 years of age or more

- ☐ the child
- ☐ the child's parent
- ☐ a physician

Complete for extension applications only

☐ the person in charge of the secure treatment program located at .....
name and address of program

I/We ask for an order under Part VI of the *Child and Family Services Act*

☐ committing the child

☐ extending the commitment of the child

to a secure treatment program at .....
name and address of program

The grounds for this application are as follows: *(State briefly main facts relied on with specific reference to the criteria for commitment, in subsection 113(1) (criteria for commitment) and 116(4) (criteria for extension) of the Act.)*
Use additional pages as required.

....
Date of signature Signature of applicant(s)

Consent of person in charge of secure treatment program

I consent to this application to the court for an order for the child's commitment to the secure treatment program named above.

....
Date of signature Signature of person in charge of secure treatment program

Consent of Minister
(To be completed if child less than twelve years of age (see C.F.S.A section 113(2))

I consent to this child's commitment to the secure treatment program located at

.....
name and address of program

....
Date of signature Signature of Minister or delegate

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Consent (General) (Secure Treatment) *Child and Family Services*

Form 41
Page 1

Court File no.

at .....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

To be completed if applicant is a person other than the person in charge of the secure treatment program who is caring for the child, and the child is less than 16 years of age.

I/We am/are the parent(s) of the child named in this application.

I/We consent to this application made by .....
Name of person (*other than the person in charge of the secure treatment program*) who is caring for the child

to the court for an order for my/our child's commitment to the secure treatment program at .....

.....
name and address of program

Dated at ..... this ..... day of ....., 19.....

....
Signature of witness Signature of parent

....
Signature of witness Signature of parent

To be completed if applicant is the parent and the child is 16 years of age or more.

I am the child named in this application.

I consent to this application made by my parent(s) to the court for an order for my commitment to the secure treatment program at

.....
name and address of program

Dated at ..... this ..... day of ....., 19.....

....
Signature of witness Signature of child

To be completed for extension applications only, where applicant is the person in charge of the secure treatment program.

I/We am/are the parent(s) of the child named in this application.

I/We consent to this application to the court for an order extending my/our child's commitment to the secure treatment program.

....
Signature of witness Signature of parent

....
Signature of witness Signature of parent

To be completed for extension applications only, where applicant is person in charge of the secure treatment program and the child is in the lawful custody of a society.

The Children's Aid Society consents to this application.

....
Date of signature Signature of authorized signing officer of Society

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit of Execution
Child and Family Services

Form 41
Page 2

Court File no.

I, ...
(name in full)

of .....
(address—street & number, municipality, postal code)

make oath and say:

I was present and saw this consent signed by .....
(name in full)

at .....
(place)

I am the person who signed as a witness to the consent .....

I am satisfied that .....
(name in full)

understands the nature and effect of this consent

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature of witness
(lawyer giving advice)

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Consent of Child
Child and Family Services

Form 42
Page 1

Court File no.

at .....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

Strike out word not applicable

I, ..., know that .....
(Name) (name of applicant)

is asking for a court order placing/keeping me at .....

....., a place
(name and address of secure treatment program)
of secure treatment. It is a place that may be locked for my protection.

Check one or more boxes as needed

I agree that the court may:

- ☐ make this order;
- ☐ hold a hearing without my being there;
- ☐ make this order without hearing witnesses in person.

I have spoken to a lawyer, who has explained these matters to me and has explained what it means for me to sign this consent.

Dated at ..... on ..... 19.....

....
Signature of witness *(lawyer giving advice)* Signature of child

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit of Execution
Child and Family Services

Form 42
Page 2

Court File no.

I, ...
(name in full)

of .....
(address—street & number, municipality, postal code)

make oath and say:

I was present and saw this consent signed by .....
(name in full)

at .....
(place)

I am the person who signed as a witness to the consent

I am satisfied that .....
(name in full)

understands the nature and effect of this consent

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature of witness

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Hearing
Child and Family Services

Form 43

Court File no.

at .....
(address)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

To .....

An application has been made in this court for an order under the *Child and Family Services Act*, concerning the child(ren) named above. Notice is being given to you because your rights may be affected. The details are set out in the attached application.

The court will hold a hearing at .....
(street & number, municipality, postal code)

on .....
(date)

at .....
(time)

or as soon after that time as the case can be heard.

If you wish to oppose the application or if you wish to give your views at the hearing, you may attend the hearing with or without your lawyer. If you do not attend the hearing, an order may be made in your absence and enforced against you. The court may make an order different from that requested by the applicant(s).

....
Date Clerk of the court

NOTE: A copy of the application signed by the applicant(s) should be attached to this form. If it is missing, you should contact your own lawyer or the court office.

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Motion
Child and Family Services

Form 44

Court File no.

at .....
(address)

Child(ren)

.....

.....

Applicant

.....

.....

Specify order sought

To the parties

A motion will be made in the proceeding for an order by the court:

The details are set out in the attached affidavit. The court will hear this motion at .....

.....
(street & number, municipality, postal code)

on .....
(date)

at .....
(time)

or as soon after that time as the motion can be heard.

If you wish to oppose the motion or wish to give your views, you should file an affidavit and may attend the hearing, with or without your lawyer.

If you fail to appear at the hearing, an order may be made in your absence and you will be bound by that order.

....
Date Name, address, telephone number of moving party's solicitor or moving party

NOTE: A copy of the affidavit (Form 45) commencing this motion should be attached to this notice. If the affidavit is missing, you should contact your own lawyer or the court office.

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit in Support of Motion
Child and Family Services

Form 45
Page 1

Court File no.

at .....
(address)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and telephone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

I, ..., of the ..... of .....
name city, town, etc. name

in the ..... of ....., make oath and say:
county, regional municipality, etc. name

This affidavit supports a motion for: .....
(Specify the order asked for in your notice of motion.)

The facts in support of this motion are: (*Give facts in support of motion. Where the facts are not within your own personal knowledge, give the source of your information or the grounds for your belief.*)

(Put a line through any blank space left on this page)

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit of Service
Child and Family Services

Form 46
Page 1

Court File no.

at .....
(address)

Child(ren)

.....

.....

Applicant(s)

.....

.....

I, ... , of the ..... , of .....
name city, town, etc. name

in the ..... of ..... , make oath and say

Check appropriate boxes

Personal service

☐ On ..... I left a copy of the following documents with .....
date name of person to be served

the ..... of the child(ren);
parent, person having actual custody

.....
identify and attach documents

.....
identify and attach documents

May be used for service on a child, parent or person having actual custody in Protection Proceeding only by Order of the Court

☐ On ..... I left a copy of the following documents with .....
date name of person to be served

a person apparently sixteen years or older, at .....
municipal address

.....
identify and attach documents

.....
identify and attach documents

.....

Mr./Mrs. ..... stated to me that .....
name of person to be served

is residing at that address.

☐ On ..... I sent a copy of the following document(s) by prepaid ordinary mail to
date

.....:
name of person to be served

.....
identify and attach documents

.....
identify and attach documents

Attached hereto is the prepaid return postcard in Form 1 in which receipt of such documents is acknowleged.

☐ On ..... I left a copy of the following documents at .....
date

..... the most recent address to service
municipal address

..... has filed with the court:
name of person to be served

.....
identify and attach documents

.....
identify and attach documents

☐ On ..... I sent a copy of the following document(s) by prepaid ordinary mail to
date

..... the most recent address for service
municipal address

..... has filed with the court
name of person to be served

.....
identify and attach documents

.....
identify and attach documents

☐ On ....., I delivered/sent by ordinary mail (delete inapplicable words) a copy of the
date

following document(s) to ....., the lawyer/person

acting in the proceedings for .....
name of person to be served

.....
identify and attach documents

.....
identify and attach documents

May be used for service on foster parents, children's aid societies, and Directors under the *Child and Family Services Act*

☐ On ....., I sent a copy of the following documents to
date

..... by ordinary mail addressed to
name of person/society to be served

.....
municipal address

.....
identify and attach documents

.....
identify and attach documents

To effect service it was necessary for me to travel ..... kilometers.

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Summons to a Witness
Child and Family Services

Form 47

Court File no.

at .....
(address)

Child(ren)

.....

.....

Applicant(s)

.....

.....

Note: When this Summons is served on you, you should receive a witness fee which is calculated as follows:

attendance $ for each day of attendance	=
travel allowance $ each way	=
overnight allowance $	=
Total	=

You may waive the witness fee by contacting the person named below

This summons was issued on behalf of

To .....
(Full name of witness)

of .....
(address—street & number, municipality, postal code)

You are commanded to appear at .....
(address—street & number, municipality)

on .....
(date)

at .....
(time)

to remain until this proceeding is heard .....

to give evidence in this proceeding before the .....
(court or other official)

and to bring with you the following:

.....	.....	.....
Name	Date	Clerk of the court

If you fail to attend or to remain as required by this summons, a warrant may be issued for your arrest.

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Consent to Adoption—Director *Child and Family Services*

Form 48

Court File no.

at .....
(address)

Child

.....

.....

Applicant(s)

.....

.....

I, ...
(name in full)

an employee of the Ministry of Community and Social Services appointed as a Director under the *Child and Family Services Act*, consent to the adoption of the child by the applicant(s)

The child became a ward of the Crown on .....
(date)

and was placed in the care of .....
(name of society)

There are no outstanding access orders .....

....
Date Place Signature of Director

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Consent to Adoption—Parent
Child and Family Services

Form 49
Page 1

Court File no.

at .....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Place of birth		

I, ...
(name in full)

of .....
(address—street and number, municipality, postal code)

consent to the adoption of this child.

I am a parent of the child within the meaning of subsection 137 (1) of the *Child and Family Services Act*, by virtue of being

Check the appropriate paragraph

- ☐ the mother of the child
- ☐ the father of the child
- ☐ a person presumed to be the father under section 8 of the *Children's Law Reform Act*
- ☐ an individual having lawful custody of the child
- ☐ an individual who, during the 12 months before the child is placed for adoption under Part VII of the Act, has demonstrated a settled intention to treat the child as a child of his or her family
- ☐ an individual who, during the 12 months before the child is placed for adoption under Part VII of the Act, has acknowledged parentage of the child and provided for the child's support
- ☐ an idividual who is required to provide for, or who has custody of or access to the child under a written agreement or a court order
- ☐ an individual who has acknowledged parentage of the child in writing under section 12 of the *Children's Law Reform Act*.

1. I was born on (*date*) .... (*initials*)
2. I understand the nature and effect of this consent and of an adoption order. ..... (*initials*)
3. I have been advised of my right to be informed on request whether an adoption order has been made and to participate in the voluntary disclosure registry. ..... (*initials*)
4. I have had an opportunity to seek counselling and independent legal advice with respect to this consent. ..... (*initials*)
5. I understand that if an adoption order is made, I will no longer be a parent of the child. ..... (*initials*)

6. I also understand that I may withdraw this consent within twenty-one days by filing a written withdrawal with a children's aid society or the court office at (*address—street and number, municipality, postal code*) ..... (*initials*)

.....

.....

and that where the child was in my custody immediately before giving this consent, the child will be returned to me.

7. I further understand that after twenty-one days have passed, I may not be allowed to withdraw this consent unless I receive the court's permission, and then only if the child has not been placed for adoption. ..... (*initials*)

.....	.....	.....
Date	Signature of witness	Signature of person consenting
.....	.....	.....
Place	Position or title	

NOTE: The witness must be an authorized employee of children's aid society. If the person giving the consent is under eighteen years of age, the consent must be accompanied by the report of the Official Guardian (Form 55).

If the consent is signed outside Ontario, it must be witnessed by an employee of a recognized child protection agency.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit of Execution to Consent of Parent *Child and Family Services*

Form 49
Page 2

Court File no.

I, ...
(name in full)

of .....
(address—street & number, municipality, postal code)

make oath and say:

I was present and saw this consent signed by .....
(name in full)

at .....
(place)

I am the person who signed as a witness to the consent .....

.....

I explained to .....
(name in full)

- the nature and effect of this consent,
- the circumstances under which the consent may be withdrawn,
- the nature and operation of the voluntary disclosure registry,
- the right to counselling and independent legal advice, and
- the right upon request to be advised whether an adoption order has been made.

I am satisfied that .....
(name in full)

understand(s) the nature and effect of this consent

(*strike out this paragraph if it does not apply and initial*)

* I am an employee of .....
(name of society)

.....

authorized by it to witness consents to adoption. .....
(initials)

*NOTE: An employee of any recognized child welfare agency may witness this consent outside Ontario.

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Consent to Adoption — Spouse
Child and Family Services

Form 50
Page 1

Court File no.

at .....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Place of birth		
Lawyer (*name, address and telephone no.*)		

I, ...
(name in full)

of .....
(address—street & number, municipality, postal code)

consent to the adoption of this child by my spouse .....

I am the spouse of the applicant within the meaning of Parts I and II of the *Human Rights Code.*

.....

....
Date Signature of witness Signature of person consenting

....
Place Position and title

NOTE: If the person giving the consent is a parent of the child, the witness must be an authorized employee of a children's aid society.
If the person giving the consent is under eighteen years of age, the consent must be accompanied by the report of the Official Guardian (Form 55).

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit of Execution to Consent of Spouse *Child and Family Services*

Form 50
Page 2

Court File no.

I, ...
(name in full)

of .....
(address—street & number, municipality, postal code)

make oath and say:

I was present and saw this consent signed by .....
(name in full)

at .....
(place)

I am the person who signed as a witness to the consent

I explained to .....
(name in full)

1. the nature and effect of this consent
2. the operation of the adoption disclosure registry

I am satisfied that .....
(name in full)
understand(s) the nature and effect of this consent

(*strike out this paragraph if it does not apply and initial*)

* I am an employee of .....
(name of society)

authorized by it to witness consents to adoption. .....
(initials)

*NOTE: An employee of any recognized child welfare agency may witness this consent outside Ontario.

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature of witness

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit of Adopting Parent(s)
Child and Family Services

Form 51
Page 1

Court File no.

at .....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and telephone no.*)

I/We .....
(name(s) in full)

of .....
(address)

make oath and say as follows:

1. I/We am/are an/the applicant(s) for the adoption of .....
2. I/We am/are a resident(s) of Ontario, residing at .....
3. My/our relationship to the child is: .....
(complete only if applicant(s) is/are a relative(s) of the child within the meaning of the definition of "relative" as set out within subsection 136 (1) of the *Child and Family Services Act)*
4. *Check applicable box*

☐ I am the sole applicant for this child's adoption.

☐ We are applying jointly as spouses within the meaning of Parts I and II of the *Human Rights Code.*

5. I/We understand and appreciate the special role of an adopting parent.

6. I/We have not and to the best of my/our knowledge no other person has made, given or received payment or agreed to do so in relation to any of the following:

— this adoption
— the placement for this adoption
— the negotiations or arrangements with a view to this adoption
— the giving of consent to this adoption

except those permitted by the *Child and Family Services Act*, and regulations made under it.

Severally
sworn before me at the ..... of .....

in the ..... of .....

this ..... day of ..... 19..... .

.....
Signature

.....
Signature

.....
A Commissioner, etc.

NOTE: This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Consent to Adoption — Child
Child and Family Services

Form 52
Page 1

Court File no.

at .....
(address)

Child

.....

.....

Applicant(s)

.....

.....

I, ...
(name in full)

of .....
(address—street and number, municipality, postal code)

consent to my adoption by the applicant(s) named above.

1. The nature and effect of an adoption order has been explained to me and I understand what adoption means. ..... (*initials*)

2. I have had a chance to have counselling, and to have advice from a lawyer about this consent. ..... (*initials*)

3. I also understand that I may withdraw this consent within twenty-one days by filing a written withdrawal with a children's aid society or the court office at (*address—street and number, municipality, postal code*) ..... (*initials*)

4. I understand that when I am eighteen years old or older, I may register with the provincial adoption disclosure registry. ..... (*initials*)

(*To be completed where the child is twelve years of age or over*)

I want my name after the adoption to be

.....
(full name after adoption)

....
Date Signature of witness Signature of child

....
Place Position or title

NOTE: The witness must be an authorized employee of a children's aid society or a representative of a recognized child protection agency outside Ontario.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit of Execution to Consent of Child *Child and Family Services*

Form 52
Page 2

Court File no.

I, ...
(name in full)

of .....
(address—street & number, municipality, postal code)

make oath and say:

I was present and saw this consent signed by ..... at .....
(name in full) (place)

I am the person who signed as a witness to the consent .....

I explained to .....
(name in full)

— the nature and effect of this consent,

— the right to counselling and independent legal advice,

— the right to withdraw this consent,

— the operation of the adoption disclosure registry.

I am satisfied that .....
(name in full)

understand(s) the nature and effect of this consent

.....

(*strike out this paragraph if it does not apply and initial*)

I am an employee of .....
(name of society)

authorized by the Society to witness consents to adoption .....
(initials)

*NOTE: The witness must be an authorized employee of a children's aid society or a representative of a recognized child protection agency outside Ontario.

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature of witness

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Recommendation of Director *Child and Family Services*

Form 53

Court File no.

at .....
(address)

Child

.....

.....

Applicant(s)

.....

.....

1. I, ...
(name in full)

am an employee of the Ministry of Community and Social Services appointed as a Director under the *Child and Family Services Act.*

2. The child is under the age of sixteen years, or is under the age of eighteen years and has not withdrawn from parental control.

3. The child has resided in the home of the applicant(s) since ..... (date) (*Strike out if not applicable*)

4. Having regard to the best interests of the child

☐ I recomend that the period of residence be dispensed with and that an order for the adoption be made.

☐ I recommend that an order of interim custody of the child be made in the applicant(s) favour for a period not exceeding one year with the following terms:

.....

.....

5. The child has resided in the home of the applicant(s) for six months or more and having regard to the best interests of the child

☐ I recommend that an order for the adoption of the child be made.

☐ I recommend that an order for adoption of the child not be made for the following reasons:

.....

.....

6. The report on the child's adjustment in the adoptive home is attached.

7. I draw to the court's attention the following additional circumstances:

.....
(set out circumstances—where none, state "None".)

....
Place Date Signature

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Recommendation of Local Director *Child and Family Services*

Form 54

Court File no.

at .....
(address)

Child

.....

.....

Applicant(s)

.....

.....

I, ...
(name in full)

am the local director of the .....
(name of society)

The child is under the age of sixteen years, or is under the age of eighteen years and has not withdrawn from parental control.

The child has resided with the applicant(s) since .....
(date)

Having regard to the best interests of the child,

☐ I recommend that an order for the adoption of the child be made.

or

☐ I recommend that an order for the adoption of the child not be made for the following reasons:

.....
(specify)

The report on the child's adjustment in the adoptive home is attached.

I draw to the court's attention the following additional circumstances:

.....
(set out circumstances—where none, state "None".)

....
Place Date Signature

NOTE: This form may be used only where a child has been placed for adoption by a children's aid society. Where a child has not been placed by a society, use Form 53 instead of this form. Form 53 must be completed by a Director appointed under the *Child and Family Services Act.*

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Report of the Official Guardian *Child and Family Services*

Form 55

Court File no.

at .....
(address)

Child

Full name	Birthdate (*d, m, y*)	Sex
Place of birth		
Lawyer (*name, address and telephone no.*)		

I, ...
(name in full)

of .....
(address—street & number, municipality, postal code)
am an authorized representative of the Official Guardian.

I have discussed with .....
(name of minor parent)
the nature and effect of an adoption order and of a consent to an adoption.

The Official Guardian is satisfied that .....
(name of minor parent)
consents to the adoption of this child and that the consent reflects his/her true informed wishes.

....
Date Signature of witness Signature

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Warrant to Bring a Child to a Place of Safety
Child and Family Services

Form 56

Court File no.

To ..... , child protection worker
(name of person and position or title)
and to all peace officers in the Province of Ontario.

On information laid before me an oath under subsection 40(2) of the *Child and Family Services Act.* I am satisfied that

Check applicable box

☐ there are reasonable and probable grounds to believe that the child named or described below is in need of protection

☐ the child named and described below is actually or apparently under sixteen years of age and has left or been removed from the lawful care and custody of the

.....
(name of society)

I am also satisfied on the basis of the information that there are reasonable and probable grounds to believe that a less restrictive course of action is not available or will not protect the child adequately.

This warrant authorizes you to bring the child ..... to
(name of child—if known)

a place of safety as defined in the *Child and Family Services Act.*

(*Delete the following if not applicable*)

This warrant further authorizes you to enter at any time and by force if necessary

....
address(es) street and number municipality

and to search for and remove the child.

....
Place Date Signature of justice of the peace

The description of the child is as follows: (*give all known information*)					
Name			Birthdate (d, m, y)		Sex
Residence or location					
Height	Weight	Hair colour	Hair style	Eye colour	Complexion
Other features					

O. Reg. 93/86, s. 20, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Information in Support of a Warrant to Bring a Child to a Place of Safety *Child and Family Services*

Form 57

Court File no.

This is the information of ..... of .....
name of informant address

I am a child protection worker employed by .....

Check appropriate box ☐ I have reasonable and probable grounds to believe and I believe that

.....
(name of child)

is a child in need of protection, based on the following information:

Set out grounds .....

.....

☐ I have reasonable and probable grounds to believe that

.....
(name of child)

who is a child actually or apparently under the age of sixteen years has left or been removed from the lawful care of

.....
(name of society)

without the consent of the society.

I have reasonable and probable grounds to believe and do believe that a less restrictive course of action is not available or will not protect the child adequately, for the following reasons:

Set out reasons .....

.....

(*Delete the following if not applicable*)

I have reasonable and probable grounds to believe that the child may be found at:

....
address(es) street and number municipality

Sworn before me this ..... day of ....., 19....

at the ..... of .....

in the ..... of .....

.....
A justice of the peace in and for the Province of Ontario

.....
Signature of informant

O. Reg. 93/86, s. 20, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Order on Motion without Notice
Child and Family Services

Form 58

Court File no.

at .....
(address)

Child(ren) (*If this order is ancillary to an adoption show one child only.*)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and phone no.*)		

Judge

Date of Order

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)

On motion of .....
(name)

in the presence of .....
(name of parties and solicitors in court)

on reading the .....
(list documents filed on motion)

and on receiving evidence and hearing submissions on behalf of .....

.....
(name(s))

this court orders that: .....

.....

.....

....
Date of signature Signature of judge or clerk of the court

Notice to .....
(name)

The above order has been made without notice to you. You may request this court to vary or discharge the order by serving an affidavit and notice of motion on the other parties and filing them at the court office within seven days after the order comes to your attention.

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Order
Child and Family Services

Form 59

Court File no.

at .....
(address)

Judge

Date of Order

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and phone no.*)		

Applicant(s)

Full name
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)

On .....
(motion of application)

of .....
(name)

in the presence of .....
(name of parties and solicitors in court)

On reading the .....
(list documents filed on motion or application)

and on receiving evidence and hearing submissions on behalf of the parties, ...

.....

this court orders that: .....

.....

....
Date of signature Signature of a judge or clerk of the court

....
Date Signature of judge or clerk of the court

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Protection/Access/ Status Review Order

If Crown wardship, a separate order is required for each child.

Child and Family Services

Form 60

Court File no.

at .....
(address)

Child(ren)

Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and phone no.*)		

Judge

Date of Order

Applicant(s)

Full name
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)

On application of .....
(name)

in the presence of .....
(name of parties and solicitors in court)

on reading the .....
(list documents filed on application)

on receiving evidence and hearing submissions on behalf of the parties .....

and on finding the child(ren) to be in need of protection .....
(delete if not applicable)

this court orders that: .....

.....

....
Date of signature Signature of judge or clerk of the court

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Adoption Order
Child and Family Services

Form 61

Court File no.

at .....
(address)

Judge

Date of Order

Child

Name	Birthdate (*d, m, y*)	Sex
Full name	Birthdate (*d, m, y*)	Sex
Lawyer (*name, address and phone no.*)		

Applicant(s)

Full name(s)
Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)

On application of .....
(name)

in the presence of .....
(name of parties and solicitors in court)

on reading the .....
(list documents filed on application)

on receiving evidence and hearing submissions on behalf of .....
(name)

this court orders that:

1. The above-named child is adopted as the child of .....
(name(s) of applicant(s))

2. The name of the child shall be .....

....
Date of signature Signature of judge or clerk of the court

O. Reg. 571/85, s. 14, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Affidavit in Support of Filing of Domestic Contract or Paternity Agreement

Form 62

Court File no.

Applicant(s) *If more than one Applicant, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)
Lawyer (*name, address and phone no.*)	

Respondent(s) *If more than one Respondent, give name and address for each.*

Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

I, ... , of the ..... of .....
(name) (city, town, etc.) (name)

in the ..... of ....., make oath and say:
(county, regional municipality, etc.) (name)

1. I attach ☐ the original ☐ a copy of a ☐ marriage contract ☐ cohabitation agreement ☐ separation agreement ☐ paternity agreement for filing with the court for enforcement.

2. The contract/agreement is in effect and has not been set aside or varied by court order or by agreement.

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 93/86, s. 21.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Request for Enforcement

Form 63

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

I, the undersigned, make oath and say:

1. I seek to enforce the following

☐ order

....
Date of order Court Court file no.

☐ agreement filed with court

....
Date of agreement Date filed Court file no.

(*Attach copy of order/agreement*)

2. The order/agreement is being enforced for the benefit of

....
Full name(s) Relationship to creditor

3. I authorize the court to receive, record and pay out to me or my assignee all sums payable under the order/agreement, including costs.

4. The order/agreement is in default in the amount shown in the attached statement of arrears.

5. I request that the order/agreement be enforced against the debtor now, and automatically upon any future default, by means of a notice of default requiring the debtor to file a financial statement, appear before the court to explain under oath the default up to the date of that appearance and to pay into court the costs of the proceeding, incurred by me or those acting on my behalf.

6. I request the court to enforce this order/agreement by any of the remedies set out in the *Support and Custody Orders Enforcement Act*, including imprisonment.

....
Date Signature

O. Reg. 93/86, s. 22.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Statement of Arrears

Form 64
Page 1

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

I, the undersigned, make oath and say:

1. I am the creditor under the following

☐ order

....
Date of order Court Court file no.

☐ agreement filed with court

....
Date of agreement Date filed Court file no.

(*Attach copy of order/agreement*)

2. The following amounts due under the order/agreement have not been paid:

Date Payment Due	*Amount Due*	*Date Paid*	*Amount Paid*	*Arrears*
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Total Arrears $.....

Total interest to date calculated at %

TOTAL $.....

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....

A Commissioner, etc.

.....

Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 93/86, s. 23.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Request for a Writ of Seizure and Sale

Form 65
Page 1

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

I, ... , of the ..... , of .....
(name) (city, town, etc.) (name)

in the ..... , of ..... , make oath and say:
(county, regional municipality, etc.) (name)

1. I am ☐ the Creditor;
   ☐ a parent of the creditor;
   ☐ an assignee of the creditor;
   ☐ other (*specify*) .....
   .....

2. By an order, judgment or decree *nisi* of .....
(name of court)

made on ..... , 19....., the debtor was ordered to pay:
(date)

☐ a lump sum of $..... to .....
(name of payee)

☐ periodic support or maintenance in the amount of $..... per .....
(month, week, etc.)

beginning on ....., 19....., to .....
(date) (name of payee)

☐ court costs on the amount of $..... to .....
(name of payee)

☐ other .....
(specify)

3. As of today, there remains owing:

☐ $..... on the lump sum and interest at ..... per cent per year beginning on .....
(date from which interst runs)

(*if the lump sum order was made six or more years ago, the clerk of the court cannot issue a writ of seizure and sale until you obtain and file with him or her a copy of an order of this court giving you leave to enforce the lump sum beyond six years.*)

☐ the following periodic payments of support or maintenance: (*These may be listed on a separate page if the number of defaults is large. List only those defaults that occurred in the past. The clerk of the court may not issue a writ of seizure and sale for defaults that have not yet taken place.*)

....
Amount of payment in default Due date

totalling $..... and bearing interest at ..... per cent per year on each payment, beginning on the date of each default. (*If any defaut occurred six or more years ago, the clerk of the court cannot include it in the writ of seizure and sale until you obtain and file with him or her a copy of an order of this court giving you leave to enforce arrears beyond six years.*)

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Request for a Writ of Seizure and Sale

Form 65
Page 2

Court File no.

☐ court costs of $..... and interest at ..... per cent per year beginning on .....
(date from which interest runs)

(*If the determination of costs was made six or more years ago, the clerk of the court may not include it in the writ of seizure and sale until you obtain and file with him or her a copy of an order of this court giving you leave to enforce court costs beyond six years.*)

☐ other .....
(specify)

4. I request that a writ of seizure and sale be directed to the Sheriff of .....
(name of area)

(a) to seize and sell the real and personal property of .....
(debtor's name)

(b) to realize from that seizure and sale those sums owing in paragraph 3, except: (*List those sums that you do not wish to be included for enforcement in the writ of seizure and sale. If you have no exceptions, state "None".*)

.....

.....

and

(c) to pay on my behalf any amounts realized to the clerk of this court.

5. There has been no previous request for a writ of seizure and sale by or on behalf of the persons entitled to support on maintenance except (*Give details. If no previous request was made, state "None".*)

.....

.....

.....

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A Commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

NOTE: You must attach to this request:

(a) a copy of the order, judgment or decree *nisi* that directs the payment of support or maintenance;

(b) where court costs were determined separately, a copy of the certificate of the determination of costs; and

(c) a copy of any order of this court giving you leave to enforce sums of money that you want to have enforced that are six or more years in default.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Writ of Seizure and Sale

Form 66
Page 1

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

To the sheriff of the .....
(name of area)

An order for support or maintenance enforceable in Ontario made on ....., in favour of
(date)

..... has been filed in this court.
(name of creditor)

YOU ARE DIRECTED to seize and sell the real and personal property within your area of .....

.....
(name of debtor)

and to realize from that seizure and sale the following sums:

(Check appropriate box)

☐ a lump sum of $..... and interest at ..... per cent per year beginning on .....
(date from which interest runs)

☐ the following periodic payments of support or maintenance:

....
Amount of payment in default Due date

In the event of a large number of defauts, they may be listed on a separate sheet attached to this writ and signed and dated by the clerk.

totalling $..... and bearing interest at ..... per cent per year on each payment in default beginning on the date of each default;

☐ court costs of $..... and interest at ..... per cent per year beginning on .....
(date from which interest runs)

together with your fees and expenses in enforcing this writ.

YOU ARE DIRECTED to pay out the proceeds according to law and to report to this court on the enforcement of this writ.

....
Date of signature Clerk of the court

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Writ of Seizure and Sale

Form 66
Page 2

Court File no.

Name of creditor: .....

Name of debtor: .....

Fees		
Fee	Item	Officer
Renewal		
Date	Officer	

Writ of Seizure and Sale

Creditor's name: .....

Creditor's address for service: .....

Solicitor's name: .....

Solicitor's address and telephone no.: .....

O. Reg. 807/84, s. 39, *part*; O. Reg. 104/85, s. 4, revised.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Request for Garnishment

Form 67
Page 1

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

I, ... , of the ..... , of .....
(name) (city, town, etc.) (name)

in the ..... , of ..... , make oath and say:
(county, regional municipality, etc.) (name)

1. I am ☐ the creditor; ☐ an assignee of the creditor;
☐ a parent of the creditor; ☐ other (*specify*) .....

2. By an order, judgment or decree *nisi* of .....
(name of court)

made on ..... , 19....., the debtor was ordered to pay:
(date)

☐ a lump sum of $....., to .....
(name of payee)

☐ periodic support or maintenance in the amount of $..... per .....
(month, week, etc.)

beginning ....., 19....., to .....
(date) (name of payee)

☐ court costs in the amount of $..... to .....
(name of payee)

☐ other .....
(specify)

2a. The order, judgment or decree *nisi* referred to in paragraph 2 is still in effect and has not been varied, suspended or discharged.

3. As of today, there remains owing:

☐ arrears of $.....;

☐ court costs of $.....;

☐ the sum of $..... in post-judgment interest calculated at the rate of ..... per cent per year on the arrears and costs;

☐ other (*specify*).

4. I request that a notice of garnishment be directed to .....
(name of garnishee)

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Request for Garnishment

Form 67
Page 2

Court File no.

who resides or carries on business in Ontario at .....
(garnishee's address)

..... and who I have reason to believe and do believe to be indebted to the debtor

(check off one or more boxes below, as appropriate)

☐ in a lump sum amount ☐ of $.....

☐ that I am unable to name;

☐ in periodic amounts ☐ of $.....

☐ that I am unable to name

paid on each .....
(regular days or dates of periodic payment)

in respect to .....
(describe the nature of payments, whether wages, pension or otherwise)

(*If you are enforcing a lump sum order, arrears, court costs or interest and if the garnishee owes a periodic debt to the debtor, please state below how you wish to amortize your claim against the periodic debt and please include the last payment date in your amortization plan on which your claim for the lump sum order, arrears, court costs or interest will be paid off by the debtor. Also remember that, if the garnishee is the debtor's employer, section 7 of* Ontario's *Wages Act exempts fifty per cent of the debtor's wages from garnishment, unless you or the debtor obtain from the court an order that either decreases or increases the percentage of the exemption. If such an order is obtained, a copy must be attached to this request and another copy must be served on the other parties to the intended garnishment. Your amortization plan should take into account the fact that a notice of garnishment is effective for a period of six years after its service on the garnishee.*)

5. (*If you wish to have a notice of garnishment directed to more than one garnishee, provide the infomation about each additional garnishee in the manner set out in paragraph 4 above.*)

.....

.....

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ....., 19.... .....
A Commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

NOTE: You must attached to this request:

(a) a copy of the order, judgment or decree *nisi* that directs the payment of support or maintenance;

(b) where court costs were determined separately, a copy of the certificate of determination of costs; and

(c) where an order was made under section 7 of the *Wages Act* that decreases or increases the fifty per cent exemption, a copy of that order.

O. Reg. 807/84, s. 39, *part*; O. Reg. 388/87, s. 16.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Garnishment

Form 68
Page 1

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

To .....
(full name of garnishee)

.....
(address—street & number, municipality, postal code)

AN ORDER has been filed with this court requiring the debtor to pay money to the creditor. The creditor claims that you owe or will owe a debt to the debtor. The creditor has had this notice of garnishment directed to you as garnishee in order to seize any debt that you owe or will owe to the debtor.

(check off one or both boxes below, as appropriate)

☐ The creditor claims that you owe or will owe the debtor a lump sum.

YOU ARE COMMANDED TO PAY to the clerk of the court:

(a) within ten days after service of this notice upon you, all debts owing by you to the debtor, and

(b) within ten days after the debt becomes payable, all debts due from you to the debtor for a period of six years after service of this notice upon you.

The total amount of all payments is not to exceed: $.....
(insert total amount claimed by creditor)

☐ The creditor claims that you owe or will owe the debtor a salary, a pension or other periodic debt.

YOU ARE COMMANDED TO DEDUCT, for a period of six years after service of this notice upon you, from all wages, pension payments or any other periodic debt payments due from you to the debtor:

(a) to meet the periodic payments of the order filed with this court, the sum of $..... each .....
(month, week, etc.)

beginning on ....., 19.....,
(date)

and continuing until further order of the court, and

(b) to pay off any lump sum, arrears, court costs and interest, the further sum of $..... each .....
(month, week, etc.)

beginning on ....., 19.....,
(date)

and continuing until ....., 19....., or until further order of the court,
(date)

and to pay these amounts to the clerk of the court within ten days after the wages, pension payments or other periodic debt becomes payable by you to the debtor.

If (a) you dispute, for whatever reason the claim that you owe or will owe a debt to the debtor, or

(b) you owe or will owe the debtor less that the amount that the debtor is alleged to owe to the creditor, or

(c) you have a defence or a right of set-off against the debtor,

you must, within ten days after service of this notice on you, pay to the clerk of the court whatever amount that you admit to be owing or accruing due to the debtor, and you must, at the same time, serve on the creditor and file with the clerk of the court a dispute in Form 71 accompanying this notice. If the dispute form is missing, you should contact your own lawyer or the court office.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Garnishment

Form 68
Page 2

Court File no.

IF YOU FAIL TO OBEY THIS NOTICE, THE COURT MAY MAKE AND ENFORCE AN ORDER AGAINST YOU for the amount unpaid and the court costs incurred by the creditor.

IF YOU MAKE PAYMENT TO ANYONE OTHER THAN THE CLERK OF THE COURT AFTER SERVICE OF THIS NOTICE ON YOU, YOU MAY BE LIABLE TO PAY AGAIN.

TO ALL PARTIES:

The payments owing are for support or maintenance. Accordingly, where the garnishee is the debtor's employer, section 7 of Ontario's *Wages Act* states that fifty per cent of any wages due to an employee is EXEMPT from garnishment or seizure. This exempt portion may be increased or decreased by an order of the court. If a copy of such an order of the court is attached to this notice, the garnishee must comply with the percentage of the exemption stated in that order.

The *Creditors' Relief Act* states that support or maintenance orders have priority over other judgment debts, regardless of when an enforcement process is issued or served. Where the support or maintenance order is for a lump sum payment, the priority is for the amount of the lump sum. Where the order is for periodic payments, the priority is for an amount up to one year's support or maintenance at the rate current when this notice of garnishment is served on you.

Support or maintenance orders rank equally with one another.

If the debtor disputes for any reason that this notice of garnishment is correct or that support or maintenance is payable, the debtor must, within ten days after service of this notice, file with the clerk of the court a dispute in Form 70 accompanying this notice. If the dispute form is missing, the debtor should contact the debtor's own lawyer or the court office.

Where the garnishee or the debtor files a dispute, or where the garnishee does not make the payment required by this notice, the clerk of the court will issue a notice of garnishment hearing in Form 72 for a hearing before the court to determine the rights of the parties.

Where there is a material change in the circumstances of the debtor or of the creditor, a motion may be made to the court to vary or to suspend any term of the garnishment.

....
Date Clerk of the court

O. Reg. 807/84, s. 39, *part*; O. Reg. 93/86, s. 24.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Garnishment (Extraprovincial)

Form 69
Page 1

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

To .....
(full name of garnishee)

.....
(address—street & number, municipality, postal code)

A garnishment has been issued by a court outside Ontario to recover support or maintenance payments owed by the debtor to the creditor. In order to enforce that garnishment, this court has issued this notice of garnishment against you to seize any debt that you owe or will owe to the debtor.

(check off one or both boxes below, as appropriate)

☐ The creditor claims that you owe or will owe the debtor a lump sum.

YOU ARE COMMANDED TO PAY to the clerk of the court:

(a) within ten days after service of this notice upon you, all debts owing by you to the debtor, and

(b) within ten days after the debt becomes payable, all debts due from you to the debtor for a period of six years after service of this notice upon you.

The total amount of all payments is not to exceed: $.....
(insert total amount claimed by creditor)

☐ The creditor claims that you owe or will owe the debtor a salary, a pension or other periodic debt.

YOU ARE COMMANDED TO DEDUCT, for a period of six years after service of this notice upon you, from all wages, pension payments or any other periodic debt payments due from you to the debtor:

(a) to meet the periodic payments of the order filed with this court, the sum of $..... each .....
(month, week, etc.)

beginning on ....., 19.....,
(date)

and continuing until further order of the court, and

(b) to pay off any lump sum, arrears, court costs and interest, the further sum of $..... each .....
(month, week, etc.)

beginning on ....., 19.....,
(date)

and continuing until ....., 19....., or until further order of the court,
(date)

and to pay these amounts to the clerk of the court within ten days after the wages, pension payments or other periodic debt becomes payable by you to the debtor.

If (a) you dispute, for whatever reason the claim that you owe or will owe a debt to the debtor, or

(b) you owe or will owe the debtor less that the amount that the debtor is alleged to owe to the creditor, or

(c) you have a defence or a right of set-off against the debtor,

you must, within ten days after service of this notice on you, pay to the clerk of the court whatever amount that you admit to be owing or accruing due to the debtor, and you must, at the same time, serve on the creditor and file with the clerk of the court a dispute in Form 71 accompanying this notice. If the dispute form is missing, you should contact your own lawyer or the court office.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Garnishment (Extraprovincial)

Form 69
Page 2

Court File no.

IF YOU FAIL TO OBEY THIS NOTICE, THE COURT MAY MAKE AND ENFORCE AN ORDER AGAINST YOU for the amount unpaid and the court costs incurred by the creditor.

IF YOU MAKE PAYMENT TO ANYONE OTHER THAN THE CLERK OF THE COURT AFTER SERVICE OF THIS NOTICE ON YOU, YOU MAY BE LIABLE TO PAY AGAIN.

TO ALL PARTIES:

The payments owing are for support or maintenance. Accordingly, where the garnishee is the debtor's employer, section 7 of Ontario's *Wages Act* states that fifty per cent of any wages due to an employee is EXEMPT from garnishment or seizure. This exempt portion may be increased or decreased by an order of the court. If a copy of such an order of the court is attached to this notice, the garnishee must comply with the percentage of the exemption stated in that order.

The *Creditors' Relief Act* states that support or maintenance orders have priority over other judgment debts, regardless of when an enforcement process is issued or served. Where the support or maintenance order is for a lump sum payment, the priority is for the amount of the lump sum. Where the order is for periodic payments, the priority is for an amount up to one year's support or maintenance at the rate current when this notice of garnishment is served on you.

Support or maintenance orders rank equally with one another.

If the debtor disputes for any reason that this notice of garnishment is correct or that support or maintenance is payable, the debtor must, within ten days after service of this notice, file with the clerk of the court a dispute in Form 70 accompanying this notice. If the dispute form is missing, the debtor should contact the debtor's own lawyer or the court office.

Where the garnishee or the debtor files a dispute, or where the garnishee does not make the payment required by this notice, the clerk of the court will issue a notice of garnishment hearing in Form 72 for a hearing before the court to determine the rights of the parties.

Where there is a material change in the circumstances of the debtor or of the creditor, a motion may be made to the court to vary or to suspend any term of the garnishment.

....
Date Clerk of the court

O. Reg. 93/86, s. 25.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Dispute by Debtor

Form 70

Court File no.

Creditor	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

Debtor	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

Garnishee	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

I, ..., the debtor in this proceeding, make oath and say:
(full name)

I dispute the notice of garnishment dated .....
(date)

(*State reasons for dispute.*)

.....

.....

Sworn before me at the ..... of .....

in the ..... of ..... this .....

day of ..... 19.... .....
A Commissioner, etc.

.....
Signature

(This form is to be signed before a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

O. Reg. 388/87, s. 17, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Dispute by Garnishee

Form 71

Court File no.

Creditor	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

Debtor	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

Garnishee	Lawyer
Full name	Full name
Address for service (*street & number, municipality, postal code*)	Address for service (*street & number, municipality, postal code*)

I am not liable to pay as required by the notice of garnishment dated .....
(date)

for the following reasons .....
(state reasons for not paying)

☐ I do not owe any money to the debtor at this time because:

☐ The debtor has never worked for me.

☐ The debtor has worked for me but ceased to work for me on .....
(date)

☐ I do not hold any money in trust for or to the credit of the debtor.

☐ Other .....

☐ I owe money to the debtor but it is not subject to garnishment. .....
(state reasons for legal exemption)

☐ Other .....

....
Date Signature of garnishee

O. Reg. 388/87, s. 17, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Garnishment Hearing

Form 72

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

Garnishee

Full name
Address for service (*street & number, municipality, postal code*)

To the parties

This matter has been placed on the hearing list by the ☐ creditor
☐ debtor

☐ A dispute has been filed by the ☐ debtor
☐ garnishee

☐ No dispute has been filed. The matter has been placed on the hearing list because full payment has not been received.

The court will hold a hearing at .....
(address)

on ..... at .....
(date) (time)
or as soon thereafter as the case can be heard.

If you fail to appear at the hearing, an order may be made in your absence and enforced against you.

....
Date Clerk of the court

NOTE: Where a dispute has been filed, a copy of the dispute should be attached to this notice. If the dispute is missing, you should contact your own lawyer or the court office.

O. Reg. 807/84, s. 39, *part, revised.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act
Warrant of Committal

Form 73

Court File no.

To

and to all other peace officers in the Province of Ontario.

Whereas I have found that .....
(name)

(check applicable provision)

☐ has failed to pay money ordered to be paid by a court;
or

☐ is in contempt of this court

And whereas I have ordered that person to be committed to a provincial correctional insitution or other secure facility;

(check if applicable)

☐ subject to a condition with which he/she has not complied.

Therefore I command you to take .....
(name)

and convey that person to the nearest provincial correctional institution or other secure facility there to be detained for the term of .....
(not to exeed ninety days)

(check if applicable)

☐ or until the sum of $..... has been paid.

(insert any special terms of warrant here)

This term of committal is to be served consecutively to any other term.

....
Date of signature Signature of judge

NOTE: The description of the person to be arrested is endorsed on this warrant.

Insert all available information

Full Name				Birth Date (D, M, Y)	Sex
Address				Telephone Number	
Height	Weight	Hair Colour	Hair Style	Eye Colour	Complexion
Other Features					

Unified Family Court

Ontario

Warrant of Committal

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Notice of Default

Form 74

Court File no.

Creditor

Full name
Address for service (*street & number, municipality, postal code*)

Debtor

Full name
Address for service (*street & number, municipality, postal code*)

To the debtor

The records of this court indicate that you are in default in the amount of .....

as of .....
(date)

under the order of .....
(court)

dated .....
(date)

You are required to:

1. file the attached financial statement with the court at .....
(address)
within ten days after service on you of this notice.

2. appear before this court to explain any default that may exist at the date of the hearing on ..... at .....
(date) (time)
or as soon after that time as the case can be heard.

If you fail to appear as required by this notice, a warrant may be issued for your arrest.

If you fail to satisfy the court that there are no arrears or that you are unable to pay, you may be imprisoned for up to ninety days.

You may also be required to pay the costs of this proceeding.

....
Date Clerk of the court

O. Reg. 93/86, s. 26.

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Recognizance

Form 75

Court File no.

Applicant(s)

.....

Respondent(s)

.....

To the Court

I, ...
(name)

of .....
(address)

acknowledge that I am indebted to Her Majesty the Queen in the amont of $..... to be levied from my property under a Writ of Execution in favour of Her Majesty the Queen,

☐ if I fail

☐ if .....
(name of person for whom you are a surety)

of .....
(address of person for whom you are a surety)

fails to abide by any of the conditions set out in the schedule below.

.....
Signature of person giving recognizance

Signed before me at .....
(municipality)

.....
Signature

in the .....
(name of county, district or regional municipality)

on .....
(date)

.....
Name and position (*print or type*)

Schedule of Conditions

The above recognizance of .....
(name of person giving the recognizance)

shall not be enforceable

☐ if he/she

☐ if .....
(name of person for whom person giving the recognizance is a surety)

abides by the conditions set out below. The conditions are that .....
(name of person giving the recognizance or person for whom the person giving the recognizance is a surety)

☐ until .....
(date of termination)

☐ until otherwise ordered by this court

(*Attach additional page if necessary, and date and sign it.*)

O. Reg. 807/84, s. 39, *part.*

Unified Family Court
Judicial District of Hamilton-Wentworth

Courts of Justice Act

Bond

Form 76

Court File no.

Applicant(s)

.....

.....

Respondent(s)

.....

.....

We, ...
(name of party giving bond)

and .....
(name(s) of person(s) signing as surety)

jointly and severally bind ourselves and our successors to pay to

.....
(name of party to whom bond is given)

the sum of $..... if .....
(name of party giving bond)

(check applicable box)

☐ removes from Ontario

☐ fails to return to Ontario by .....
(date)

the child(ren) .....
(name(s) of child(ren))

(delete if not applicable)

☐ This bond is in force until ....., or until further order of the court.
(date)

.....
Date

..... Seal
Witness
Signature of party

..... Seal
Witness
Signature of surety

..... Seal
Witness
Signature of surety

O. Reg. 807/84, s. 39, *part.*

REGULATION 203

SALARIES AND BENEFITS OF MASTERS

1.—(1) The annual salary of a master in a position referred to in Column 1 of the Schedule is the salary set out opposite to the position in Column 2. O. Reg. 420/90, s. 1.

(2) A master who is serving on a part-time basis under section 44 of the Act shall be paid, for each full day of service, an amount equal to the annual salary of a full-time master divided by 261. O. Reg. 289/90, s. 1.

2. The Chief Justice of the Ontario Court may grant to a master,

(a) leave of absence with pay for not more than six days in any year upon any special or compassionate ground and the period of the leave shall be charged against the sick leave credits of the master;

(b) three days leave of absence with pay in the event of the death of his or her spouse, mother, father, mother-in-law, father-in-law, son, daughter, brother or sister and such leave shall not be charged against sick leave credits; and

(c) leave of absence without pay and without accumulation of

sick leave credits for a period not exceeding one month. R.R.O. 1980, Reg. 539, s. 2; O. Reg. 292/90, s. 1.

3. The Attorney General, upon the recommendation of the Chief Justice of the Ontario Court, may grant to a master leave of absence without pay and without the accumulation of sick leave credits for a period of up to one year. R.R.O. 1980, Reg. 539, s. 3; O. Reg. 292/90, s. 2.

4. The Lieutenant Governor in Council, upon the recommendation of the Attorney General, may grant leave of absence with pay to a master for special or compassionate purposes for a period not exceeding one year. R.R.O. 1980, Reg. 539, s. 4.

5.—(1) A master is entitled to accumulate vacation credits in each year for the portion of the year during which he or she is a master at the rate of 2½ days per month.

(2) The vacation days that a master is entitled to accumulate in a year under subsection (1) shall be credited to the master on the 1st day of January in the year or on the day in the year when the master first becomes a master, whichever is later.

(3) From the vacation days credited to a master in a year in accordance with subsections (1) and (2), there shall be deducted, to a maximum of the days credited to the master in the year, 2½ days per month for,

(a) each whole calendar month in the year throughout which the master is on leave of absence without pay;

(b) each whole calendar month in the year after the month in which the master ceases to be a master; and

(c) any calendar month wholly comprised of consecutive periods of less than a month for which credit would be deducted under clause (a) or (b) if the periods were whole calendar months. O. Reg. 124/90, s. 1, *part*.

(4) With the approval of the Chief Justice of the Ontario Court, a master may take leave of absence with pay in respect of some or all of the master's accumulated vacation credits at the rate of one day of leave of absence with pay for each day of vacation credit to which the master is entitled, and the master's accumulated vacation credits shall be reduced by the leave of absence with pay taken. O. Reg. 124/90, s. 1, *part*; O. Reg. 292/90, s. 3.

(5) If, after giving effect in any year to the deductions mentioned in subsections (3) and (4), a master's accumulated vacation credits at the end of the year exceed thirty, the excess shall be deducted from the master's accumulated vacation credits before vacation credits for the ensuing year are credited to the master.

(6) Each day or part thereof by which a leave of absence with pay taken by a master under subsection (4) exceeds the master's accumulated vacation credits after making any deduction required by subsection (3) or (5) shall be deducted from the master's vacation credits, and the master shall repay to the Crown the salary paid to him or her for any day or part thereof of the leave of absence with pay that cannot be so deducted.

(7) A master shall be paid for any unused vacation days standing to the master's credit on the date he or she ceases to be a master an amount computed at the rate of the master's last regular salary.

(8) A master is entitled, upon his or her request, to be paid, in an amount computed at the rate of the master's last regular salary, for any unused vacation standing to the master's credit at the date on which he or she qualifies for payments under the Long Term Income Protection Plan under section 31 of Regulation 193 of Revised Regulations of Ontario, 1990.

(9) Despite subsection (1), a master who holds that office on the 1st day of January, 1990 and continues to hold that office on the 1st day of April, 1990 is entitled to vacation credits for the year 1990 of twenty-eight days. O. Reg. 124/90, s. 1, *part*.

6.—(1) The benefits plan set out in Regulation 193 (Provincial Judges Benefits) of Revised Regulations of Ontario, 1990 applies with necessary modifications in respect of masters. O. Reg. 333/84, s. 2, *part*.

(2) For the purposes of subsection (1),

(a) a reference in the said Regulation to a judge shall be deemed to refer to a master;

(b) a reference in the Regulation to a Chief Judge shall be deemed to refer to the Chief Justice of the Ontario Court;

(c) the "Account", and the "Fund" under the said Regulation shall perform the same functions in respect of masters as in respect of judges;

(d) the "Board" under the said Regulation has the same duty and shall perform the same functions in respect of masters as in respect of judges. O. Reg. 333/84, s. 2, *part*; O. Reg. 292/90, s. 4.

7. Sections 2 to 5 and 8 do not apply to a part-time master to whom subsection 1 (2) applies. O. Reg. 463/85, s. 1.

8.—(1) A master is entitled to claim and be reimbursed by the Crown for reasonable expenses actually incurred by him or her and approved by the Chief Justice of the Ontario Court that are incidental to the fit and proper execution of the master's office, including,

(a) necessary purchase and maintenance of judicial attire and luggage for transporting documents and judicial attire;

(b) purchase of books and other publications related to judicial duties, other than books and publications that are available at the master's regular location; and

(c) membership in recognized associations contributing to professional development. O. Reg. 463/85, s. 2, *part*; O. Reg. 292/90, s. 5.

(2) Subsection (1) does not apply to mileage expenses, meal expenses, accommodation expenses, conference, meeting or seminar expenses, relocation expenses or any other expense for which compensation is provided by the Crown apart from this Regulation. O. Reg. 463/85, s. 2, *part*.

(3) A master is not entitled to claim or to be reimbursed under subsection (1) for more than $2,000 in respect of the twelve-month period commencing on the 1st day of April in each year. O. Reg. 463/85, s. 2, *part*; O. Reg. 124/90, s. 2 (1).

(4) Where a master's expenses in a period mentioned in subsection (3) exceed the amount that the master is entitled to claim in respect of the period, the master is entitled, subject to subsection (3), to claim the excess as an expense in respect of the following twelve-month period. O. Reg. 463/85, s. 2, *part*.

(5) Where a master is not in office during all of a period in respect of which the master is entitled to claim and be reimbursed for expenses under subsection (1), the maximum amount under subsection (3) shall be reduced by $166.67 for each full month that the master is not in office during the period. O. Reg. 463/85, s. 2, *part*; O. Reg. 124/90, s. 2 (2).

(6) Property for which a master is reimbursed under subsection (1) is the property of the Crown in right of Ontario and the master or the personal representative of the master shall deliver the property to the Crown when the master ceases to hold office, if the property is in serviceable condition at that time. O. Reg. 463/85, s. 2.

Schedule

COLUMN 1	COLUMN 2
Senior Master	$120,980
Master	110,460

O. Reg. 420/90, s. 2, *part.*

REGULATION 204

SALARIES AND BENEFITS OF PROVINCIAL JUDGES

1.—(1) The annual salary of a judge in a position referred to in Column 1 of the Schedule is the salary set out opposite to the position in Column 2. O. Reg. 421/90, s. 1.

(2) A judge who is serving on a part-time basis under section 44 of the Act shall be paid, for each full day of service, an amount equal to the annual salary of a full-time judge of the same judicial rank divided by 261. O. Reg. 290/90, s. 1.

2. The Chief Judge of the Ontario Court (Provincial Division) may grant to a judge,

(a) leave of absence with pay for not more than six days in any year upon any special or compassionate ground and the period of the leave shall be charged against the sick leave credits of the judge;

(b) three days leave of absence with pay in the event of the death of his or her spouse, mother, father, mother-in-law, father-in-law, son, daughter, brother or sister and such leave shall not be charged against sick leave credits; and

(c) leave of absence without pay and without the accumulation of sick leave credits for a period not exceeding one month. R.R.O. 1980, Reg. 811, s. 3; O. Reg. 227/85, s. 3, *part*; O. Reg. 287/90, s. 2.

3. The Attorney General, upon the recommendation of the Chief Judge of the Ontario Court (Provincial Division), may grant to a judge leave of absence without pay and without the accumulation of sick leave credits for a period of up to three years. R.R.O. 1980, Reg. 811, s. 4; O. Reg. 227/85, s. 3, *part*; O. Reg. 287/90, s. 3.

4. The Lieutenant Governor in Council, upon the recommendation of the Attorney General, may grant leave of absence with pay to a judge for special or compassionate purposes for a period not exceeding one year. R.R.O. 1980, Reg. 811, s. 5.

5.—(1) A judge is entitled to accumulate vacation credits in each year for the portion of the year during which he or she is a judge at the rate of 2½ days per month.

(2) The vacation days that a judge is entitled to accumulate in a year under subsection (1) shall be credited to the judge on the 1st day of January in the year or on the day in the year when the judge first becomes a judge, whichever is later.

(3) From the vacation days credited to a judge in a year in accordance with subsections (1) and (2), there shall be deducted, to a maximum of the days credited to the judge in the year, 2½ days per month for,

(a) each whole calendar month in the year throughout which the judge is on leave of absence without pay;

(b) each whole calendar month in the year after the month in which the judge ceases to be a judge; and

(c) any calendar month wholly comprised of consecutive periods of less than a month for which credit would be deducted under clause (a) or (b) if the periods were whole calendar months. O. Reg. 123/90, s. 1, *part.*

(4) With the approval of the Chief Judge of the Ontario Court (Provincial Division), a judge may take leave of absence with pay in respect of some or all of the judge's accumulated vacation credits at the rate of one day of leave of absence with pay for each day of vacation credit to which the judge is entitled, and the judge's accumulated vacation credits shall be reduced by the leave of absence with pay taken. O. Reg. 123/90, s. 1, *part*; O. Reg. 287/90, s. 4.

(5) If, after giving effect in any year to the deductions mentioned in subsections (3) and (4), a judge's accumulated vacation credits at the end of the year exceed thirty, the excess shall be deducted from the judge's accumulated vacation credits before vacation credits for the ensuing year are credited to the judge.

(6) Each day or part thereof by which a leave of absence with pay taken by a judge under subsection (4) exceeds the judge's accumulated vacation credits after making any deduction required by subsection (3) or (5) shall be deducted from the judge's vacation credits, and the judge shall repay to the Crown the salary paid to him or her for any day or part thereof of the leave of absence with pay that cannot be so deducted.

(7) A judge shall be paid for any unused vacation days standing to the judge's credit on the date he or she ceases to be a judge an amount computed at the rate of the judge's last regular salary.

(8) A judge is entitled, upon his or her request, to be paid, in an amount computed at the rate of the judge's last regular salary, for any unused vacation standing to the judge's credit at the date on which he or she qualifies for payments under the Long Term Income Protection Plan under section 31 of Regulation 193 of Revised Regulations of Ontario, 1990.

(9) Despite subsection (1), a judge who holds that office on the 1st day of January, 1990 and continues to hold that office on the 1st day of April, 1990 is entitled to vacation credits for the year 1990 of twenty-eight days. O. Reg. 123/90, s. 1, *part.*

6.—(1) A judge is entitled to claim and be reimbursed by the Crown for reasonable expenses actually incurred by him or her and approved by the Chief Judge of the Ontario Court (Provincial Division) that are incidental to the fit and proper execution of the judge's office, including,

(a) necessary purchase and maintenance of judicial attire and luggage for transporting documents and judicial attire;

(b) purchase of books and other publications related to judicial duties, other than books and publications that are available at the judge's regular location; and

(c) membership in recognized associations contributing to professional development. O. Reg. 177/82, s. 1, *part*; O. Reg. 227/85, s. 3, *part*; O. Reg. 287/90, s. 5 (1).

(2) Subsection (1) does not apply to mileage expenses, meal expenses, accommodation expenses, conference, meeting or seminar expenses, relocation expenses or any other expense for which compensation is provided by the Crown apart from this Regulation.

(3) A judge is not entitled to claim or to be reimbursed under subsection (1) for more than $2,000 in respect of the twelve-month period commencing on the 1st day of April in each year. O. Reg. 177/82, s. 1, *part*; O. Reg. 123/90, s. 2 (1).

(4) Where a judge's expenses in a period mentioned in subsection (3) exceed the amount that the judge is entitled to claim in respect of the period, the judge is entitled, subject to subsection (3), to claim the excess as an expense in respect of the following twelve-month period. O. Reg. 177/82, s. 1, *part.*

(5) Where a judge is not in office during all of a period in respect of which the judge is entitled to claim and be reimbursed for expenses under subsection (1), the maximum amount under subsection (3) shall be reduced by $166.67 for each full month that the judge is not in office during the period. O. Reg. 177/82, s. 1, *part*; O. Reg. 123/90, s. 2 (2).

(6) Property for which a judge is reimbursed under subsection (1) is the property of the Crown in right of Ontario and the judge or the personal representative of the judge shall deliver the property to the Crown when the judge ceases to hold office, if the property is in serviceable condition at that time. O. Reg. 177/82, s. 1, *part.*

7. Sections 2 to 5 and section 6 do not apply to a part-time judge to whom subsection 1 (2) applies. O. Reg. 332/84, s. 47 (4).

Schedule

Column 1	Column 2
Chief Judge of the Provincial Division	$126,240
Regional senior judge of the Provincial Division	120,980
Co-ordinator of Justices of the Peace	120,980
Any other provincial judge	110,460

O. Reg. 421/90, s. 2, *part.*

REGULATION 205

SMALL CLAIMS COURT JURISDICTION

1. The maximum amount of a claim in the Small Claims Court is $3,000 in the Toronto Region and $1,000 in all regions other than the Toronto Region. O. Reg. 706/89, s. 1.

2. The maximum amount of a claim over which a deputy judge may preside is $1,000. O. Reg. 706/89, s. 2.

REGULATION 206

TERRITORIAL DIVISIONS FOR THE SMALL CLAIMS COURT

1. The territorial divisions described in the schedules to Ontario Regulation 159/85, as they read immediately before the coming into force of the Revised Regulations of Ontario, 1990, are continued as the prescribed territorial divisions of the Small Claims Court.

O. Reg. 346/88, s. 2, *revised.*